



Bureau of Justice Statistics

State Court Organization 2004

Courts and judges
Judicial selection and service
Judicial branch
Appellate courts
Trial courts
The jury
The sentencing context
Court structure

U.S. Department of Justice

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State Court Organization 2004

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*A joint effort of the Conference of State Court Administrators
and National Center for State Courts*

This project was supported by BJS grant number 2003-BJ-CX-K003.
The opinions, findings, and conclusions or recommendations expressed
in this publication are those of the authors and do not necessarily reflect
the views of the Department of Justice.

August 2006, NCJ 212351

U.S. Department of Justice

Office of Justice Programs
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This Bureau of Justice Statistics report was prepared by the National Center for State Courts under the Supervision of Steven K. Smith and Thomas Cohen of the Bureau of Justice Statistics. The project was supported by BJS grant number 2003-BJ-CX-K003. Principle staff for the project at the National Center for State Courts were David B. Rottman and Shauna M. Strickland. Marianne Zawitz, Carolyn C. Williams, and Thomas Cohen provided editorial review. Jayne Robinson administered final printing production.

This report was made possible by the support and guidance of the Court Statistics Committee of the Conference of State Court Administrators.

Suggested Citation:

David B. Rottman and Shauna M. Strickland, *State Court Organization*, 2004, U.S. Department of Justice, Bureau of Justice Statistics, Washington, D.C. USGPO, 2006.

Please bring suggestions for information that should be included in future editions to the attention of the Director of the Court Statistics Project, National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia 23185-4147

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Acknowledgments

This edition of State Court Organization, like the other four volumes in the series, is a product of the state court community. The Conference of State Court Administrators sponsors the series and makes available its Court Statistics Committee to guide compilation of each edition. The contents of each edition are determined by canvassing the issues and information items of primary concern to state court administrators and in consultation with staff from the Bureau of Justice Statistics. A special subcommittee of the COSCA Court Statistics Committee participated in all stages of work on the new edition. Their keen attention to matters of substance and format went beyond what reasonably can be expected, and their unflagging good spirits made our work enjoyable as well as productive. We are grateful for their continued active participation in the State Court Organization series.

State court administrators and appellate court clerks are the primary source of the information included in this volume. Their generous investment of time and effort makes the State Court Organization series possible. Their patience and perseverance is greatly appreciated.

Staff from the Bureau of Justice Statistics, notably Steven Smith, Ph.D. and Thomas Cohen, Ph.D., contributed their expertise on topics from survey design to the visual display of information. The Bureau's funding makes the entire State Court Organization enterprise possible.

Neal Kauder of VisualResearch, Inc. provided the design concept and later refinements for the tables of information that follow, making the contents easier on the eye and patterns in the data easier to grasp.

Finally, we are grateful to our NCSC colleagues who provided insight and assistance on specific topics. Special thanks are due to Paula Hannaford-Agor, Pamela Casey, William Hewitt, and Nicole Waters in the Research Division and to Carol Flango, Madelynn Herman, Jennifer Elek, and Anne Skove in Knowledge and Information Services.

Despite all of the guidance, advice, and assistance received, responsibility for the accuracy of all contents of this volume rests with the project staff.

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INTRODUCTION: Purpose, format, and method of compilation

What is the purpose of the volume?

The fifth edition of *State Court Organization* describes the diverse nature of the State courts in the 50 States, the District of Columbia, and Puerto Rico. Information distributed across 47 tables details the main features of how courts operate, ranging from the names of the various courts established in each State to specific aspects of law or procedure such as whether jury verdicts must be unanimous to convict in criminal cases or to decide on liability in civil matters.

The primary reason, then, for compiling *State Court Organization 2004* (previous editions describe court organization in 1980, 1987, 1993, and 1998) is to provide authoritative answers in a single volume to fundamental questions about the composition of each state's court system: How many appellate and trial courts have been established? What specific categories of cases does each court have the jurisdiction to decide? There is no standard, or typical, State court system: fundamental matters vary from state to state.

A second purpose is to determine the patterns across States that exist amidst this diversity. Most State court systems have two levels of appellate courts and two levels of trial courts. This edition of *State Court Organization* facilitates examination of differing state approaches to court administration and related procedures and rules. The volume is also attentive to features of state court organization that vary within a state, rooted in counties, municipalities, townships, or other forms of local government. The more important points of variations within states are noted, sometimes in the table proper but more often through footnotes.

A third purpose is to permit the analysis of trends over time in how states organize their judicial branch. Since 1980 significant changes have taken place in how judicial branches are governed. Questions that can be addressed include: Who is the head of the judicial branch? What official or institution formulates and submits the budget for operating the courts? What is the source of the rulemaking authority of State courts of last resort? Over time, editions of *State Court Organization* reveal the advent of professional trial court managers: administrators, clerks, and judges who view their role as managerial in nature.

The 2004 edition of *State Court Organization* continues the attention first given in 1998 to the growing importance of specialized State court forums. Special forums are divisions, dockets, courtrooms or procedures dedicated to a designated set of cases and to which a specific judge has been assigned. Such forums typically are created through local court rules or custom, and carry the label of "court" as a matter of convenience.

Information is included on the varieties of problem-solving courts, the most common form of specialized courts today. A separate table is retained on the more longstanding family court.

How should the volume be used?

The 2004 edition of *State Court Organization* contains 428 items of information (up from 397 items in 1998) spread across 47 tables. Tables are divided into seven parts according to broad topical areas:

1. Courts and Judges (Tables 1-3)
2. Judicial Selection and Service (Tables 4-11)
3. The Judicial Branch: Governance, Funding, and Administration (Tables 12-21)
4. Appellate Courts: Jurisdiction and Procedures (Tables 22-27)
5. Trial Courts: Administration, Specialized Jurisdiction, and Procedures (Tables 28-37)
6. The Jury (Tables 38-42)
7. The Sentencing Context (Tables 43-47)

An eighth part contains a one-page court structure chart for each State, Puerto Rico, and the District of Columbia. The charts complement the information provided in the tables by depicting the essential structure of a State's court system in terms of subject matter jurisdiction and routes of appellate review. Each part begins with a brief explanatory note and a recommended bibliography of sources relevant to the topic under consideration. The introductions indicate why the information provided is important for understanding the nation's courts and notes considerations to bear in mind when using the part's tables.

Two kinds of tables are presented. One kind of table is formatted to describe what is defined at the state level, such as the juror source lists, definitions of a felony offense, the functions of administrative offices of the courts, and other aspects of court organization that apply to all appellate or trial courts within a state. Another kind of table reports on features that differ from court to court within a state, such as the number of judges or procedures for selecting a presiding judge. The "court" in trial court generally applies to a statewide court system. For example, the Circuit Court of Virginia is divided into 31 circuits each serving a specific geographical area. Some trial courts, though, include an entire State within their geographic jurisdiction, as in New Jersey's Tax Court. Appellate courts are typically statewide in their jurisdiction, but intermediate appellate courts are established on a regional basis in Arizona, California, Florida, Illinois, Louisiana, Missouri, New York, Ohio, Texas, and Washington. In these States, intermediate appellate courts may establish rules and procedures that vary between regions (usually called a district or division). Several States have multiple intermediate appellate courts (Alabama, Indiana, New York,

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

Some tables contain extensive footnotes. Footnotes tend to appear in tables that cover topics for which a simple answer was deemed unhelpful and consideration of the footnote's content is necessary to make comparisons across states or to grasp fully the nature of the arrangements that pertain in individual states. A general cautionary statement is offered here. This volume covers an unusually diverse set of topics. There is no single state authority that maintains current and complete information on each topic. Therefore several sources were contacted in each state and extensive searches were undertaken of court rules and state statutes. The next section of this introductory essay describes the process by which information was obtained and verified.

How was the volume compiled?

The contents for this edition were selected and the relevant data collected through the following main steps. The first step was a project staff review of the contents *State Court Organization 1998*. In the course of that review all members of the Conference of State Court Administrators were asked to evaluate the usefulness of each information item published in *State Court Organization 1998* and to nominate additional topics that could usefully be included in the new edition. Some information items were judged to be essential for the continuity of the series, new information was identified to keep pace with the changing shape and interests of the court community, and still other information items were found to be of limited contemporary interest. These decisions were made in consultation with other National Center for State Court staff members and relevant academic and research experts on court-related topics. Staff from the Bureau of Justice Statistics also participated in the review process. A tentative list of information contents was compiled by project staff and then reviewed in detail by the members of the Conference of State Court Administrator's Court Statistics Committee. At a subsequent meeting, the Committee members reviewed the data collection design and drafts of the data collection instruments. The chosen information items were divided according to the most reliable and cost-effective data collection method and included:

- A survey of administrative offices of the court designed for distribution by mail to the state court administrators of the 50 states, the District of Columbia, and Puerto Rico. The questionnaire dealt with aspects of court organization that are primarily

administrative in nature and either new to the 2004 edition or likely to have changed significantly since 1998. Various versions of the new survey were pilot tested through the kind cooperation of states represented on the Court Statistics Committee.

- A similar survey relating to information concerning appellate courts designed to collect new or changeable descriptive information on courts of last resort and intermediate appellate courts. Approximately 150 surveys were completed and returned.
- A third survey form designed to update some of the information items carried over from the last edition and judged unlikely to have changed significantly over the previous five years. Respondents were presented with the information published in the 1998 edition and were asked to update it to be current as of December 31, 2004. Separate update surveys were prepared for administrative offices of the courts and appellate court clerks.

Protocols were developed to conduct statute and rule searches that would compile tables of information on specific laws, legal procedure and legal practices that applied statewide. Such searches were the primary source of data about juries and sentencing. Figure 1 indicates the primary data collection methods for each table of information. Upon return, surveys were reviewed for completeness and clarity by project staff. Telephone calls and fax messages were used to ensure that accurate and comparable information was available from all survey respondents. Information collected through update surveys and through statute and rule searches were entered in electronic tables.

The main step in the verification process was to return all tables completed through surveys or update forms back to state court administrators. This provided a second check on the information, often by a second pair of eyes, and served as a check on the accuracy of any revisions made by project staff. All tables compiled through statute or rule searches also were sent to the state court administrator with a request that the contents be examined and modified or corrected as necessary. Verification often involved a series of iterations passed back and forth between project staff and the administrative office of the courts or appellate court clerk.

The result is a reference source that covers a wide range of information about trial and appellate courts and state court administration. There are some obvious limitations. Provisions and procedures that relate to criminal cases receive more attention than those concerning civil dockets. The focus, moreover, is on statewide court organization. Within states there is

significant variation by locality that is beyond the scope of this volume to describe. Finally, *State Court Organization* is a companion series to the annual *State Court Caseload Statistics* reports prepared by the Court Statistics Project of the National Center for State Courts. Please bring suggestions for information that might be included in future editions to the attention of the Director of the Court Statistics Project, National Center for State Courts, 300 Newport Avenue, Williamsburg, Virginia 23185.

What is new to the 2004 edition?

A glossary defining symbols, abbreviations and acronyms has been added to the front of the volume.

Some tables from the 1998 edition were not repeated in 2004:

- Table 21 - Court Automation
- Table 35 - Provisions for Processing Domestic Violence Cases
- Table 47 - The Availability of Intermediate Sanctions
- Table 50 - Good Time Accumulation and Parole

Tables appearing for the first time in 2004 are:

- Table 31 - Specialized Jurisdiction: Problem Solving Courts
- Table 36 - DNA Evidence: Post-Conviction Analysis
- Table 37 - Making the Trial Record
(last covered in 1993)

There has been some reorganization of the contents:

- Table 5 in 1998 –Terms of Appellate Court Judges (combined with Table 4 – Selection of Appellate Court Judges)
- Table 23 in 1998 – Structure of Panels Reviewing Discretionary Petitions (divided into two new tables: Table 23 – The Structure of Appellate Court Panels and Table 24 – Reviewing Discretionary Petitions)
- Table 27 in 1998 - Special Calendars in Appellate Courts (combined with Table 25 – Expediting Procedures in Appellate Courts)

State Court Organization 2004 enhances the coverage of clerks of (trial) courts and trial court administrators. The previous edition allocated one table to each type of official, and provided information only on their method of selection and source of funding. For 2004, Table 29 provides information for both clerks and administrators on their method of selection and numbers in each trial court system. Table 30 describes the functional responsibilities for both sets of officials using a common set of responsibilities.

Figure 1: Primary Source of Data Collection

| <i>Table</i> | <i>AOC* Survey</i> | <i>Appellate Court Clerks Survey</i> | <i>AOC* /Appellate Clerks Update Survey</i> | <i>Special Surveys</i> | <i>Statute and Rule Search</i> |
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*AOC=Administrative Office of the Courts

Glossary of Selected Abbreviations, Definitions, and Symbols

Abbreviations

| | |
|--|--|
| ADA = Americans with Disabilities Act | IA = Intermediate appellate court |
| AOC = Administrative Office of the Courts | ID = Indefinite |
| AP = At pleasure | IT = Information technology |
| CASA = Court Appointed Special Advocate | JD = Judicial |
| CJ = Chief Justice | JN = Judicial nominating commission appoints |
| CLE = Continuing legal education | LA = Legislative appointment |
| CS = Court selection | LD = Locally determined |
| DS = District | LG = Legislature |
| DU = Duration of service | LJ = Limited jurisdiction |
| EX = Executive | LWOP = Life in prison without parole |
| GE = Gubernatorial appointment with approval of elected executive council | NP = Non-partisan election |
| GJ = General jurisdiction | NR = No response |
| GL = Gubernatorial appointment with consent of the legislature | N/S = Not stated |
| GN = Gubernatorial appointment from judicial nominating commission | PE = Partisan election |
| GNE = Gubernatorial appointment from judicial nominating commission with approval of elected executive council | RA = Reappointment |
| GNL = Gubernatorial appointment from judicial nominating commission with consent of the legislature | RE = Retention election |
| GU = Gubernatorial appointment | SC = Court of last resort |
| | SCJ = Chief justice/judge of the court of last resort appoints |
| | SN = Seniority |
| | SW = Statewide |
| | TCA = Trial court administrator |
| | US = Federal |
| | VA = Varies |

Definitions:

A.L.I. = Accused lacks substantial capacity to appreciate the criminality (wrongfulness) of his/her conduct or conform his/her conduct to the requirements of law.

Irresistible Impulse = If a mental disorder caused the individual to experience an irresistible impulse to commit the offense, even if he/she remained able to understand the nature of the offense and its wrongfulness.

M'N = (M'Naghten) The accused party, at the time of committing the act, was laboring under a defect of reason from disease of the mind, not to know the nature and quality of the act he/she was doing, or if he/she did not know it was wrong.

Symbols:

- ▣ = Both mandatory and discretionary jurisdiction
- = Discretionary jurisdiction
- = Mandatory jurisdiction

- ~ = Not applicable
- * = Mandatory list

- = No/none
- ◐ = Shared
- = Total
- = Yes

Part I: Courts and Judges

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

Table 1 lists the number and types of appellate courts in each of the 50 states, the District of Columbia, and Puerto Rico. Appellate courts are divided into two basic categories, namely courts of last resort (COLR) and intermediate appellate courts (IAC). Each state has a COLR, which has final jurisdiction over appeals. Oklahoma and Texas split final appellate review between separate civil and criminal COLRs. Courts of last resort typically were established in the state's constitution and sit in one location, the state capital. IACs hear initial appeals, the outcome of which can be subject to further review by the state's COLR. Intermediate appellate courts, a more contemporary institution, often sit in multiple locations throughout the state.

Table 2 lists the total number of appellate judges serving the state courts. Information on term lengths as well as the gender and racial and ethnic composition of the bench is provided, where available. The state appellate bench consists of 1,335 members. Term lengths vary between states from four to sixteen years; only Rhode Island selects judges to serve for life, while Massachusetts and Puerto Rico mandate terms that last until retirement at age 70.

All COLRs are established with an odd number of justices, in contrast to the structure of the jury as a decision-making institution, which usually consists of an even number of members. The most common arrangement is a seven judge COLR, found in 28 states and in Puerto Rico. Five justices serve on COLRs in 16 states, while five states follow the federal nine-justice model as does the District of Columbia. Both Texas COLRs have nine justices. Oklahoma has a nine-member Supreme Court and a five member Court of Criminal Appeals.

Intermediate appellate courts often undertake review through panels of three or more judges rather than by the full court sitting "en banc" (see Table 23). California has the largest state IAC, with 105 authorized and 88 serving judgeships divided into nine divisions (Table 1).

Trial courts are listed state-by-state in Table 3, noting which are courts of general jurisdiction (GJ) and which are courts of limited (or special) jurisdiction (LJ). General jurisdiction trial courts are the highest trial court in a state, where felony criminal cases and high stakes

civil suits are adjudicated. They often exercise some form of appellate review over outcomes in limited jurisdiction courts or decisions by administrative agencies, exercising what is termed incidental appellate jurisdiction (Table 27).

A limited jurisdiction trial court, one or more of which is to be found in all but six states, typically holds preliminary hearings in felony cases and has exclusive jurisdiction over misdemeanor and ordinance violation cases (Table 44 details the jurisdiction over felony cases by courts of limited jurisdiction). Civil jurisdiction is restricted to a fixed maximum amount, and typically includes a separate category of small claims cases for which simplified procedures are established. Juvenile and domestic relations cases are typically heard in a court of general jurisdiction, but in some states a special court may exist for such "family law" cases (see Table 32).

Table 3 indicates the number of judges serving on each trial court statewide. Some courts, especially those with limited jurisdiction, use part-time or senior judges to help with caseloads. Courts may also make use of quasi-judicial staff to hear cases as referees, commissioners, or hearing officers. Table 3 provides information on term lengths for trial court judges as well as their gender and racial and ethnic composition, where available. The length specified is for a "full" term. Judges may be appointed to serve an initial term for a fixed period of time before becoming eligible to serve a full term. Even in states that elect their judges, most sitting judges are initially appointed to the bench to fill an unexpired term created by the resignation or death of a judge.

By and large, general jurisdiction trial courts are divided into circuits or districts. In some states (e.g., California) the county serves as the judicial district. Most states, however, construct judicial districts that embrace a number of counties. Limited jurisdiction trial courts vary in whether they possess county-wide jurisdiction across a county or serve a specific local government unit, such as a city or village. Jurisdiction beyond a specific county is rare, except for those courts with special jurisdiction that applies statewide (water courts and workers' compensation courts are examples).

In comparing court structures, it should be noted that even basic nomenclature can vary markedly. Supreme Courts are usually courts of last resort but in New York "supreme" designates the main trial court; the Court of Appeals is the state's court of last resort. Justices and a Chief Justice usually serve on courts of last resort but a number of COLRs have judges and a Chief Judge. Judge is the standard title for those serving on intermediate appellate courts.

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Table 1. Appellate Courts in the United States

Legend: ~ = Not applicable

| | Court of last resort | | Intermediate appellate court | | # of chief judges |
|-----------------------------|------------------------|---|--------------------------------|---------------------------|-------------------|
| | Court name | Place of session | Court name | Place of session | |
| Alabama | Supreme Court | Montgomery ¹ | Court of Civil Appeals | Montgomery ¹ | 1 |
| | | | Court of Criminal Appeals | Montgomery ¹ | 1 |
| Alaska | Supreme Court | Anchorage, Fairbanks, and Juneau ² | Court of Appeals | Anchorage | 1 |
| Arizona | Supreme Court | Phoenix | Court of Appeals | Phoenix | 1 |
| | | | | Tucson | 1 |
| Arkansas | Supreme Court | Little Rock | Court of Appeals | Little Rock | 1 |
| California | Supreme Court | Los Angeles, Sacramento, and San Francisco | Courts of Appeals | 9 locations ³ | 9 |
| Colorado | Supreme Court | Denver ⁴ | Court of Appeals | Denver | 1 |
| Connecticut | Supreme Court | Hartford ⁵ | Appellate Court | Hartford ⁵ | 1 |
| Delaware | Supreme Court | Dover | ~ | ~ | ~ |
| District of Columbia | Court of Appeals | Washington, D.C. | ~ | ~ | ~ |
| Florida | Supreme Court | Tallahassee | District Courts of Appeal | 5 locations ⁶ | 5 |
| Georgia | Supreme Court | Atlanta | Court of Appeals | Atlanta ⁷ | 1 |
| Hawaii | Supreme Court | Honolulu | Intermediate Court of Appeals | Honolulu | 1 |
| Idaho | Supreme Court | 7 locations ⁸ | Court of Appeals | 9 locations ⁹ | 1 |
| Illinois | Supreme Court | Springfield | Appellate Court | 5 locations | 5 |
| Indiana | Supreme Court | Indianapolis | Court of Appeals | Indianapolis | 1 |
| | | | Tax Court | Indianapolis | ~ ¹⁰ |
| Iowa | Supreme Court | Des Moines | Court of Appeals | Des Moines | 1 |
| Kansas | Supreme Court | Topeka | Court of Appeals | Varies ¹¹ | 1 |
| Kentucky | Supreme Court | Frankfort | Court of Appeals | Varies ¹² | 1 |
| Louisiana | Supreme Court | New Orleans | Courts of Appeal | 5 locations ¹³ | 5 |
| Maine | Supreme Judicial Court | Portland ¹⁴ | ~ | ~ | ~ |
| Maryland | Court of Appeals | Annapolis | Court of Special Appeals | Annapolis | 1 |
| Massachusetts | Supreme Judicial Court | Boston | Appeals Court | Boston | 1 |
| Michigan | Supreme Court | Lansing | Court of Appeals | 4 locations ¹⁵ | 1 |
| Minnesota | Supreme Court | St. Paul | Court of Appeals | Throughout the state | 1 |
| Mississippi | Supreme Court | Jackson | Court of Appeals | Jackson | 1 |
| Missouri | Supreme Court | Jefferson City | Court of Appeals | 4 locations ¹⁶ | 3 |
| Montana | Supreme Court | Helena | ~ | ~ | ~ |
| Nebraska | Supreme Court | Lincoln | Court of Appeals | Lincoln | 1 |
| Nevada | Supreme Court | Carson City ¹⁷ | ~ | ~ | ~ |
| New Hampshire | Supreme Court | Concord | ~ | ~ | ~ |
| New Jersey | Supreme Court | Trenton | Superior Court, Appellate Div. | Varies ¹⁸ | 1 |

Table 1. Appellate Courts in the United States

Legend: ~ = Not Applicable

| | Court of last resort | | Intermediate appellate court | | |
|-----------------------|--|--|---|--|-------------------|
| | Court name | Place of session | Court name | Place of session | # of chief judges |
| New Mexico | Supreme Court | Santa Fe | Court of Appeals | Varies ¹⁹ | 1 |
| New York | Court of Appeals | Albany | Supreme Court, Appellate Div. | 4 locations ²⁰ | 4 |
| North Carolina | Supreme Court | Raleigh | Court of Appeals | Raleigh | 1 |
| North Dakota | Supreme Court | Bismark ²¹ | ~ | ~ | ~ |
| Ohio | Supreme Court | Columbus | Courts of Appeal | 12 locations ²² | 12 |
| Oklahoma | Supreme Court Court of Criminal Appeals | Oklahoma City Oklahoma City | Court of Civil Appeals | Oklahoma City and Tulsa | 1 |
| Oregon | Supreme Court | Salem | Court of Appeals | Salem | 1 |
| Pennsylvania | Supreme Court | Harrisburg, Philadelphia, and Pittsburgh | Superior Court Commonwealth Court | Harrisburg, Philadelphia, and Pittsburgh ²³ Harrisburg, Philadelphia, and Pittsburgh ²³ | 1 1 |
| Puerto Rico | Supreme Court | San Juan | Court of Appeals | San Juan | 1 |
| Rhode Island | Supreme Court | Providence | ~ | ~ | ~ |
| South Carolina | Supreme Court | Columbia | Court of Appeals | Columbia | 1 |
| South Dakota | Supreme Court | Pierre ²⁴ | ~ | ~ | ~ |
| Tennessee | Supreme Court | Jackson, Knoxville, and Nashville | Court of Criminal Appeals Court of Appeals | 3 locations ²⁵ 3 locations ²⁵ | 1 |
| Texas | Supreme Court Court of Criminal Appeals | Austin Austin | Courts of Appeal | 15 locations ²⁶ | 14 |
| Utah | Supreme Court | Salt Lake City | Court of Appeals | Salt Lake City | 1 |
| Vermont | Supreme Court | Montpelier ²⁷ | ~ | ~ | ~ |
| Virginia | Supreme Court | Richmond | Court of Appeals | Alexandria, Norfolk, Richmond, and Suffolk | 1 |
| Washington | Supreme Court | Olympia | Courts of Appeal | 3 locations ²⁸ | 3 |
| West Virginia | Supreme Court of Appeals | Charleston | ~ | ~ | ~ |
| Wisconsin | Supreme Court | Madison ²⁹ | Court of Appeals | Madison, Milwaukee, Waukesha, and Wausau | 1 |
| Wyoming | Supreme Court | Cheyenne ³⁰ | ~ | ~ | ~ |

FOOTNOTES:**Alabama:**¹ Sometimes sessions for oral argument are held in other cities.**Alaska:**² The Supreme Court occasionally holds regular sessions in other cities.**California:**³ Six appellate districts meet in the following locations: First Appellate District – San Francisco; Second Appellate District – Los Angeles, Ventura; Third Appellate District – Sacramento; Fourth Appellate District – San Diego, Riverside, Santa Ana; Fifth Appellate District – Fresno; Sixth Appellate District – San Jose.**Colorado:**⁴ Twice each year the court will travel and hold arguments at a public school as part of a public education program.**Connecticut:**⁵ At least once per year, the court holds oral arguments at a Connecticut law school, university, high school, or Superior Court as part of a public education initiative.**Florida:**⁶ Five appellate districts meet in the following locations: District One – Tallahassee; District Two – Tampa; District Three – Miami; District Four – West Palm Beach; District Five – Daytona Beach.

Table 1. Appellate Courts in the United States

Georgia:

⁷ The Court of Appeals may sit outside Atlanta by special court order.

Idaho:

⁸ The Supreme Court meets in Boise, Coeur d'Alene, Idaho Falls, Lewiston, Moscow, Pocatello, and Twin Falls.

⁹ The Court of Appeals meets in Blackfoot, Boise, Coeur d'Alene, Hailey, Idaho Falls, Lewiston, Moscow, Pocatello, and Twin Falls.

Indiana:

¹⁰ Tax Court does not have a chief judge; it has one permanently assigned judge.

Kansas:

¹¹ Court of Appeals judges are authorized to sit in any courthouse in the state.

Kentucky:

¹² The panels of judges of the Court of Appeals do not sit permanently in one location; instead, they travel throughout the state to hear cases.

Louisiana:

¹³ Five appellate circuits meet in the following locations: First Circuit – Baton Rouge; Second Circuit – Shreveport; Third Circuit – Lake Charles; Fourth Circuit – New Orleans; Fifth Circuit – Gretna.

Maine:

¹⁴ The Supreme Court is not lodged in its own building. Instead, the justices have permanent chambers in the superior courthouse near their residence.

Michigan:

¹⁵ There are four designated election districts, but the Court of Appeals judges rotate throughout court locations in the state.

Missouri:

¹⁶ Three appellate districts meet in the following locations: Eastern District – St. Louis; Southern District – Poplar Bluff and Springfield; Western District – Kansas City.

Nevada:

¹⁷ The Supreme Court also sits in Las Vegas several times a year.

New Jersey:

¹⁸ Superior Court, Appellate Division judges are not assigned to permanent locations.

New Mexico:

¹⁹ Oral argument in the Court of Appeals is often scheduled in different locations.

New York:

²⁰ Four appellate departments meet in the following locations: First Department – New York City; Second Department – Brooklyn; Third Department – Albany; Fourth Department – Rochester.

North Dakota:

²¹ The Supreme Court also sits in special session at the law school.

Ohio:

²² Twelve appellate districts meet in the following locations: District One – Cincinnati; District Two – Dayton; District Three – Lima; District Four – Portsmouth; District Five – Canton; District Six – Toledo; District Seven – Youngtown; District Eight – Cleveland; District Nine – Akron; District Ten – Columbus; District Eleven – Warren; District Twelve – Middleton.

Pennsylvania:

²³ Special sessions may be held elsewhere.

South Dakota:

²⁴ Twice each year the Court travels and holds arguments at the state's law school and at a public school as part of a public education program.

Tennessee:

²⁵ Three sections of the Court of Appeals and the Court of Criminal Appeals meet in the following locations: Eastern Section – Knoxville; Middle Section – Nashville; Western Section – Jackson.

Texas:

²⁶ Fourteen appellate districts meet in the following locations: District One – Houston; District Two – Fort Worth; District Three – Austin; District Four – San Antonio; District Five – Dallas; District Six – Texarkana; District Seven – Amarillo; District Eight – El Paso; District Nine – Beaumont; District Ten – Waco; District Eleven – Eastland; District Twelve – Tyler; District Thirteen – Corpus Christi and Edinburg; District Fourteen – Houston.

Vermont:

²⁷ Special court sessions are held at Vermont Law School and at trial courts.

Washington:

²⁸ Three appellate divisions meet in the following locations: Division I – Seattle; Division II – Tacoma; Division III – Spokane.

Wisconsin:

²⁹ The Supreme Court travels to selected sites in Wisconsin approximately once a year.

Wyoming:

³⁰ On occasion the court sits at the Wyoming Law School and various community colleges and high schools.

Table 2. Number of Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response

| | | | Gender | | Race and ethnic composition | | | | | | |
|-----------------------------|-------------------------------|-----------------|-----------------------|------------------------|-----------------------------|--------|-------|---------------------------|--------------------|-------|----------------|
| | | | Number of judges | Length of term (years) | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other |
| Alabama | | | | | | | | | | | |
| SC | Supreme Court | 9 | 6 | 7 | 2 | 9 | | | | | |
| IA | Court of Civil Appeals | 5 | 6 | 4 | 1 | 5 | | | | | |
| IA | Court of Criminal Appeals | 5 | 6 | 2 | 3 | 5 | | | | | |
| Alaska | | | | | | | | | | | |
| SC | Supreme Court | 5 | 10 | 4 | 1 | 5 | | | | | |
| IA | Court of Appeals | 3 | 8 | 3 | | 3 | | | | | |
| Arizona | | | | | | | | | | | |
| SC | Supreme Court | 5 | 6 | 3 | 2 | 5 | | | | | |
| IA | Court of Appeals | 22 | 6 | 17 | 5 | 19 | 1 | 2 | | | |
| Arkansas | | | | | | | | | | | |
| SC | Supreme Court | 7 | 8 | 5 | 2 | 7 | | | | | |
| IA | Court of Appeals | 12 | 8 | 9 | 3 | 9 | 3 | | | | |
| California | | | | | | | | | | | |
| SC | Supreme Court | 7 | 12 | 4 | 3 | 3 | 1 | 1 | 2 | | |
| IA | Courts of Appeal | 88 | 12 | 61 | 27 | 80 | 3 | 3 | 2 | | |
| Colorado | | | | | | | | | | | |
| SC | Supreme Court | 7 | 10 | 4 | 3 | 6 | | 1 | | | |
| IA | Court of Appeals | 16 | 8 | 12 | 4 | 15 | | 1 | | | |
| Connecticut | | | | | | | | | | | |
| SC | Supreme Court | 7 ¹ | 8 | 5 | 2 | 6 | 1 | | | | |
| IA | Appellate Court | 9 ² | 8 | 7 | 2 | 8 | 1 | | | | |
| Delaware | | | | | | | | | | | |
| SC | Supreme Court | 5 | 12 | 4 | 1 | 5 | | | | | |
| District of Columbia | | | | | | | | | | | |
| SC | Court of Appeals | 9 | 15 | 6 | 3 | 5 | 3 | 1 | | | |
| Florida | | | | | | | | | | | |
| SC | Supreme Court | 7 | 6 | NR | NR | NR | NR | NR | NR | NR | NR |
| IA | District Courts of Appeal | 62 | 6 | 49 | 13 | 53 | 6 | 3 | | | |
| Georgia | | | | | | | | | | | |
| SC | Supreme Court | 7 | 6 | 5 | 2 | 5 | 2 | | | | |
| IA | Court of Appeals | 12 | 6 | 9 | 3 | 9 | 3 | | | | |
| Hawaii | | | | | | | | | | | |
| SC | Supreme Court | 5 | 10 | 4 | 1 | 2 | | | | 3 | |
| IA | Intermediate Court of Appeals | 6 | 10 | 4 | 2 | 2 | | | | 4 | |
| Idaho | | | | | | | | | | | |
| SC | Supreme Court | 5 | 6 | 4 | 1 | 5 | | | | | |
| IA | Court of Appeals | 3 | 6 | 2 | 1 | 2 | | 1 | | | |
| Illinois | | | | | | | | | | | |
| SC | Supreme Court | 7 | 10 | 5 | 2 | 6 | 1 | | | | |
| IA | Appellate Court ³ | 53 | 10 | 38 | 15 | 29 | 1 | | | | |
| Indiana | | | | | | | | | | | |
| SC | Supreme Court | 5 | Up to 12 ⁴ | 5 | | 4 | 1 | | | | |
| IA | Court of Appeals | 15 | Up to 12 ⁴ | 12 | 3 | 14 | 1 | | | | |
| IA | Tax Court | 1 | Up to 12 ⁴ | 1 | | 1 | | | | | |
| Iowa | | | | | | | | | | | |
| SC | Supreme Court | 7 | 8 | 6 | 1 | 7 | | | | | |
| IA | Court of Appeals | 9 | 6 | 6 | 3 | 8 | | | | | 1 ⁵ |
| Kansas | | | | | | | | | | | |
| SC | Supreme Court | 7 | 6 | 4 | 3 | 7 | | | | | |
| IA | Court of Appeals | 12 | 4 | 10 | 2 | 11 | 1 | | | | |
| Kentucky | | | | | | | | | | | |
| SC | Supreme Court | 7 | 8 | 6 | 1 | 7 | | | | | |
| IA | Court of Appeals | 14 | 8 | 12 | 2 | 13 | 1 | | | | |
| Louisiana | | | | | | | | | | | |
| SC | Supreme Court | 7 | 10 | 4 | 3 | 6 | 1 | | | | |
| IA | Courts of Appeal | 53 ⁶ | 10 | 43 | 10 | 43 | 10 | | | | |

Table 2. Number of Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response

| | Number of judges | Length of term (years) | Gender | | Race and ethnic composition | | | | | |
|--|------------------|----------------------------|--------|--------|-----------------------------|---------------------------|--------------------|-------|-------|--|
| | | | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other | |
| Maine | | | | | | | | | | |
| SC Supreme Judicial Court | 7 | 7 | 5 | 2 | 7 | | | | | |
| Maryland | | | | | | | | | | |
| SC Court of Appeals | 7 | 10 | 5 | 2 | 5 | 2 | | | | |
| IA Court of Special Appeals | 13 | 10 | 9 | 4 | 12 | 1 | | | | |
| Massachusetts | | | | | | | | | | |
| SC Supreme Judicial Court | 7 | Until age 70 | 4 | 3 | 6 | 1 | | | | |
| IA Appeals Court | 28 ⁷ | Until age 70 | 19 | 9 | 25 | 2 | | | 1 | |
| Michigan | | | | | | | | | | |
| SC Supreme Court | 7 | 8 | 4 | 3 | 6 | 1 | | | | |
| IA Court of Appeals | 28 | 6 | 20 | 8 | 26 | 2 | | | | |
| Minnesota | | | | | | | | | | |
| SC Supreme Court | 7 | 6 | 5 | 2 | 6 | 1 | | | | |
| IA Court of Appeals | 16 | 6 | 12 | 4 | 13 | 3 | | | | |
| Mississippi | | | | | | | | | | |
| SC Supreme Court | 9 | 8 | 9 | | 8 | 1 | | | | |
| IA Court of Appeals | 10 | 8 | 10 | | 8 | 2 | | | | |
| Missouri | | | | | | | | | | |
| SC Supreme Court | 7 | 12 | 5 | 2 | 6 | 1 | | | | |
| IA Court of Appeals ⁸ | 32 | 12 | 15 | 3 | 16 | 2 | | | | |
| Montana | | | | | | | | | | |
| SC Supreme Court | 7 | 8 | 5 | 2 | 7 | | | | | |
| Nebraska | | | | | | | | | | |
| SC Supreme Court | 7 | At least 3 ⁹ | 6 | 1 | 7 | | | | | |
| IA Court of Appeals | 6 | At least 3 ⁹ | 5 | 1 | 6 | | | | | |
| Nevada | | | | | | | | | | |
| SC Supreme Court | 7 | 6 | 4 | 3 | 6 | 1 | | | | |
| New Hampshire | | | | | | | | | | |
| SC Supreme Court | 5 | 5 | 4 | 1 | 5 | | | | | |
| New Jersey | | | | | | | | | | |
| SC Supreme Court | 7 | 7 (+ tenure) ¹⁰ | 4 | 3 | 5 | 1 | | | 1 | |
| IA Superior Court, Appellate Div. | 35 | 7 (+ tenure) ¹⁰ | 26 | 9 | 31 | 2 | | | 2 | |
| New Mexico | | | | | | | | | | |
| SC Supreme Court | 5 | 8 | 3 | 2 | 2 | | | | 3 | |
| IA Court of Appeals | 10 | 8 | 7 | 3 | 7 | | | | 3 | |
| New York | | | | | | | | | | |
| SC Court of Appeals | 7 | 14 | 3 | 4 | 5 | 1 | | | 1 | |
| IA Supreme Ct., Appellate Div. ¹¹ | 57 | 5 or duration | 37 | 9 | 42 | 2 | | | 2 | |
| North Carolina | | | | | | | | | | |
| SC Supreme Court | 7 | 8 | 6 | 1 | 7 | | | | | |
| IA Court of Appeals | 15 | 8 | 9 | 6 | 12 | 3 | | | | |
| North Dakota | | | | | | | | | | |
| SC Supreme Court | 5 | 10 | 3 | 2 | 5 | | | | | |
| Ohio | | | | | | | | | | |
| SC Supreme Court | 7 | 6 | 4 | 3 | 7 | | | | | |
| IA Courts of Appeals ¹² | 68 | 6 | 45 | 23 | 61 | 2 | | | | |
| Oklahoma | | | | | | | | | | |
| SC Supreme Court | 9 | 6 | 8 | 1 | 8 | 1 | | | | |
| SC Court of Criminal Appeals | 5 | 6 | 4 | 1 | 4 | 1 | | | | |
| IA Court of Civil Appeals | 10 | 6 | 8 | 2 | 10 | | | | | |
| Oregon | | | | | | | | | | |
| SC Supreme Court | 7 | 6 | 7 | | 6 | | | | 1 | |
| IA Court of Appeals | 10 | 6 | 7 | 3 | 9 | | | | 1 | |
| Pennsylvania | | | | | | | | | | |
| SC Supreme Court | 7 | 10 | 6 | 1 | 7 | | | | | |
| IA Superior Court | 23 ¹³ | 10 | 16 | 7 | 22 | 1 | | | | |
| IA Commonwealth Court | 9 ¹⁴ | 10 | 4 | 5 | 8 | 1 | | | | |

Table 2. Number of Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response

| | Number of judges | Length of term (years) | Gender | | Race and ethnic composition | | | | | |
|------------------------------------|------------------|------------------------|--------|--------|-----------------------------|---------------------------|--------------------|-------|-----------------|--|
| | | | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other | |
| Puerto Rico | | | | | | | | | | |
| SC Supreme Court | 7 | To age 70 | 5 | 2 | | | 7 | | | |
| IA Court of Appeals | 39 | 16 | 26 | 13 | | | 39 | | | |
| Rhode Island | | | | | | | | | | |
| SC Supreme Court | 5 | Life | 4 | 1 | 5 | | | | | |
| South Carolina | | | | | | | | | | |
| SC Supreme Court | 5 | 10 | 4 | 1 | 5 | | | | | |
| IA Court of Appeals | 10 ¹⁵ | 6 | 9 | 1 | 8 | 2 | | | | |
| South Dakota | | | | | | | | | | |
| SC Supreme Court | 5 | 8 | 4 | 1 | 5 | | | | | |
| Tennessee | | | | | | | | | | |
| SC Supreme Court | 5 | 8 | 4 | 1 | 4 | 1 | | | | |
| IA Court of Appeals | 12 | 8 | 9 | 3 | 12 | | | | | |
| IA Court of Criminal Appeals | 12 | 8 | 11 | 1 | 11 | 1 | | | | |
| Texas | | | | | | | | | | |
| SC Supreme Court | 9 | 6 | 7 | 2 | 7 | 2 | | | | |
| SC Court of Criminal Appeals | 9 | 6 | 5 | 4 | 9 | | | | | |
| IA Courts of Appeals | 80 | 6 | 47 | 33 | 64 | 2 | 12 | 1 | 1 ¹⁶ | |
| Utah | | | | | | | | | | |
| SC Supreme Court | 5 | 10 ¹⁷ | 3 | 2 | 5 | | | | | |
| IA Court of Appeals | 7 | 6 ¹⁷ | 4 | 3 | 6 | | | | 1 ¹⁸ | |
| Vermont | | | | | | | | | | |
| SC Supreme Court | 5 | 6 | 3 | 2 | 5 | | | | | |
| Virginia | | | | | | | | | | |
| SC Supreme Court | 7 | 12 | 4 | 3 | 6 | 1 | | | | |
| IA Court of Appeals | 11 | 8 | 7 | 4 | 10 | 1 | | | | |
| Washington | | | | | | | | | | |
| SC Supreme Court | 9 | 6 | 5 | 4 | 9 | | | | | |
| IA Courts of Appeals ¹⁹ | 22 ²⁰ | 6 | 5 | 5 | 9 | 1 | | | | |
| West Virginia | | | | | | | | | | |
| SC Supreme Court of Appeals | 5 | 12 | 4 | 1 | 5 | | | | | |
| Wisconsin | | | | | | | | | | |
| SC Supreme Court | 7 | 10 | 4 | 3 | 6 | 1 | | | | |
| IA Court of Appeals | 16 | 6 | 13 | 3 | 15 | 1 | | | | |
| Wyoming | | | | | | | | | | |
| SC Supreme Court | 5 | 8 | 4 | 1 | 5 | | | | | |

FOOTNOTES:

Connecticut:

¹ This does not include a senior judge in the Appellate Court.
² One appellate court judge is currently serving as chief court administrator. As a result, he is relieved of his appellate duties and a tenth appellate judge is appointed.

Illinois:

³ The ethnic composition also does not include the First District Court.

Indiana:

⁴ Initial term is two years; retention is 10 years.

Iowa:

⁵ One judge of the Court of Appeals is Indian.

Louisiana:

⁶ The Courts of Appeal have 55 authorized judicial positions.

Massachusetts:

⁷ The Appeals Court has 25 authorized judicial positions. The judges of the Appeals Court are assisted by the services on recall of several retired judges.

Missouri:

⁸ The gender and ethnic composition for the Court of Appeals does not include the Eastern District court, as that court did not respond.

Nebraska:

⁹ Term is more than 3 years for the first election; retention election is every 6 years thereafter.

New Jersey:

¹⁰ All judges are subject to gubernatorial reappointment and consent by the Senate after an initial seven-year term; thereafter, they may serve until mandatory retirement at age 70.

New York:

¹¹ Appellate Terms of the Supreme Court have been established within the First and Second Departments of the Appellate Division. Data for the Appellate Terms are not included in the information presented here.

Ohio:

¹² The ethnic composition for the Courts of Appeals does not include the Sixth District court.

Table 2. Number of Appellate Court Judges

Pennsylvania:

¹³ The Superior Court has 15 authorized judicial positions. The judges of the Superior Court are assisted by senior judges specially appointed by the Supreme Court.

¹⁴ The judges of the Commonwealth Court are assisted by senior judges specially appointed by the Supreme Court. Also, senior Common Pleas Court judges occasionally serve on the Commonwealth Court.

South Carolina:

¹⁵ The Court of Appeals has nine authorized judicial positions. The judges of the Court of Appeals are assisted by a retired Court of Appeals judge now on special appointment to the court.

Texas:

¹⁶ The ethnicity of one Courts of Appeals judge is not known.

Utah:

¹⁷ The initial term of appointment is until the next general election immediately following the third year from the time of the initial appointment.

¹⁸ One judge of the Court of Appeals is American Indian/Alaska Native.

Washington:

¹⁹ The gender and ethnic composition for the Courts of Appeals does not include Division Two and Division Three courts, as those courts did not respond.

²⁰ The Courts of Appeals have 23 authorized judicial positions.

Table 3. Trial Courts and Trial Court Judges of the United States

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; AP=At pleasure; DU=Duration of service; LD=Locally determined; VA=Varies; ~/=Not applicable

| | Number of judges | Length of term (years) | Gender | | Race and ethnic composition* | | | | | |
|------------------------------|------------------|------------------------|--------|--------|------------------------------|---------------------------|--------------------|-------|----------------|------------------|
| | | | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other | |
| Alabama | | | | | | | | | | |
| GJ Circuit | 142 | 6 | 127 | 15 | 132 | 10 | | | | |
| LJ District | 102 | 6 | 81 | 21 | 94 | 8 | | | | |
| LJ Municipal | 315 | 4 ¹ | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| LJ Probate | 68 | 6 | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| Alaska | | | | | | | | | | |
| GJ Superior | 34 | 6 ² | 28 | 6 | 32 | 1 | | | 1 | |
| LG District | 20 | 4 | 16 | 4 | 20 | | | | | |
| ~ Magistrate's Division | 52 | AP | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| Arizona | | | | | | | | | | |
| GJ Superior ³ | 162 | 4 | 119 | 43 | 134 | 4 | | 19 | 4 ⁴ | 1 ⁵ |
| LJ Justice of the Peace | 83 | 4 | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| LJ Municipal | 139 | 2 ⁶ | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| Arkansas | | | | | | | | | | |
| GJ Circuit | 115 | 6 | 100 | 15 | 103 | 12 | | | | |
| LJ District | 115 | 4 | 103 | 12 | 112 | 3 | | | | |
| LJ City | 98 | 2 | 89 | 9 | 92 | 6 | | | | |
| California | | | | | | | | | | |
| GJ Superior | 1,498 | 6 | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| Colorado | | | | | | | | | | |
| GJ District | 132 | 6 ⁷ | 104 | 28 | 114 | 4 | | 13 | 1 | |
| GJ Denver Probate | 1 | 6 ⁷ | | 1 | 1 | | | | | |
| GJ Denver Juvenile | 3 | 6 ⁷ | 2 | 1 | 2 | 1 | | | | |
| GJ Water | 8 | 8 | 8 | 8 | 8 | 8 | | 8 | 8 | |
| LJ County | 103 | 4 ⁷ | 80 | 23 | 94 | | | 9 | | |
| LJ Municipal | 250 | 2 ⁹ | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| Connecticut | | | | | | | | | | |
| GJ Superior | 196 | 8 | 141 | 55 | 172 | 18 | | 5 | | 1 ¹⁰ |
| LJ Probate | 123 | 4 | 86 | 37 | 123 | | | | | |
| Delaware | | | | | | | | | | |
| GJ Superior | 19 | 12 | 14 | 5 | 17 | 2 | | | | |
| LJ Chancery | 5 | 12 | 5 | | 5 | | | | | |
| LJ Justice of the Peace | 61 | 6 ¹¹ | 41 | 20 | 52 | 8 | | 1 | | |
| LJ Family | 15 | 12 | 10 | 5 | 12 | 2 | | 1 | | |
| LJ Common Pleas | 9 | 12 | 8 | 1 | 8 | | | | | 1 ¹² |
| LJ Alderman's | 8 | LD | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| District of Columbia | | | | | | | | | | |
| GJ Superior | 59 | 15 | 33 | 26 | 28 | 28 | | 3 | | |
| Florida | | | | | | | | | | |
| GJ Circuit | 526 | 6 | 408 | 118 | 462 | 24 | | 33 | | 7 ¹³ |
| LJ County | 276 | 6 | 194 | 82 | 234 | 24 | | 16 | | 2 ¹³ |
| Georgia | | | | | | | | | | |
| GJ Superior | 188 | 4 | 156 | 32 | 160 | 17 | | | | 11 ¹⁴ |
| LJ Juvenile | 120 | 4 | 80 | 40 | 108 | 11 | | | | |
| LJ Civil | 4 | 4 | 4 | | 3 | 1 | | 1 | | |
| LJ State | 112 | 4 | 89 | 23 | 92 | 11 | | | 1 | 8 ¹⁴ |
| LJ Probate | 159 | 4 | 76 | 83 | 139 | 5 | | | | 15 ¹⁴ |
| LJ Magistrate | 499 | 4 | 299 | 200 | 386 | 45 | | | | 68 ¹⁵ |
| LJ Municipal/of Columbus | 2 | 4 | 2 | | 2 | | | | | |
| LJ County Recorder's | 12 | LD | 5 | 7 | 6 | 5 | | 1 | | |
| LJ Municipal/City of Atlanta | 342 | AP | 295 | 47 | 273 | 26 | | | | 43 ¹⁶ |
| Hawaii | | | | | | | | | | |
| GJ Circuit ¹⁷ | 33 | 10 | 21 | 12 | 13 | | | | 13 | 7 ¹⁸ |
| LJ District ¹⁷ | 36 | 6 | 23 | 13 | 9 | | | | 19 | 8 ¹⁸ |
| Idaho | | | | | | | | | | |
| GJ District | 39 | 4 | 33 | 6 | 39 | | | | | |
| LJ Magistrate's Division | 83 | 4 | 76 | 7 | 83 | | | | | |

Table 3. Trial Courts and Trial Court Judges of the United States

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; AP=At pleasure; DU=Duration of service; LD=Locally determined; VA=Varies; ~ =Not applicable

| | Number of judges | Length of term (years) | Gender | | Race and ethnic composition* | | | | | |
|-------------------------------|-------------------|------------------------|--------|--------|------------------------------|---------------------------|--------------------|-------|-------|-----------------|
| | | | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other | |
| Illinois | | | | | | | | | | |
| GJ Circuit | 494 | 6 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| ~ Associate Division | 356 | 4 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Indiana | | | | | | | | | | |
| GJ Superior and Circuit | 297 | 6 | 248 | 49 | N/S | N/S | N/S | N/S | N/S | N/S |
| GJ Probate | 1 | 6 | 1 | | 1 | | | | | |
| LJ County | 4 | 6 | 3 | 1 | 4 | | | | | |
| LJ City and Town | 74 | 4 | 51 | 23 | 71 | 1 | | 2 | | |
| LJ Small Claims/Marion County | 9 | 4 | 6 | 3 | 9 | | | | | |
| Iowa | | | | | | | | | | |
| GJ District | 335 ¹⁹ | 6 ²⁰ | 264 | 71 | 329 | 5 | | 1 | | |
| Kansas | | | | | | | | | | |
| GJ District | 234 ²¹ | 4 | 202 | 32 | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | 255 | LD | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Kentucky | | | | | | | | | | |
| GJ Circuit | 127 | 8 | 97 | 30 | 124 | 3 | | | | |
| LJ District | 112 | 4 | 74 | 38 | 108 | 4 | | | | |
| Louisiana | | | | | | | | | | |
| GJ District | 213 | 6 | 179 | 34 | 169 | 44 | | | | |
| GJ Juvenile & Family | 18 | 6 | 8 | 10 | 12 | 6 | | | | |
| LJ Justice of the Peace | 388 | 6 | 250 | 138 | 338 | 49 | | | | 1 ²² |
| LJ Mayor's | 250 | 4 | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| LJ City & Parish | 73 | 6 | 59 | 14 | 62 | 11 | | | | |
| Maine | | | | | | | | | | |
| GJ Superior | 16 | 7 | NR | NR | NR | NR | | NR | NR | NR |
| GJ District | 33 | 7 | NR | NR | NR | NR | | NR | NR | NR |
| LJ Probate | 16 | 4 | NR | NR | NR | NR | | NR | NR | NR |
| Maryland | | | | | | | | | | |
| GJ Circuit | 143 | 15 | 102 | 41 | 116 | 25 | | | 2 | |
| LJ District | 104 | 10 | 75 | 29 | 84 | 18 | | | 2 | |
| LJ Orphan's | 66 | 4 | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |
| Massachusetts | | | | | | | | | | |
| GJ Superior | 73 | To age 70 | 45 | 28 | 64 | 7 | | 1 | | 1 |
| LJ District | 148 | To age 70 | 120 | 28 | 140 | 7 | | 1 | | |
| LJ Probate & Family | 50 | To age 70 | 27 | 23 | 48 | 1 | | 1 | | |
| LJ Juvenile | 40 | To age 70 | 20 | 20 | 35 | 3 | | 2 | | |
| LJ Housing | 10 | To age 70 | 7 | 3 | 9 | 1 | | | | |
| LJ Boston Municipal | 28 | To age 70 | 20 | 8 | 21 | 5 | | 1 | | 1 |
| LJ Land | 6 | To age 70 | 5 | 1 | 6 | | | | | |
| Michigan | | | | | | | | | | |
| GJ Circuit | 215 | 6 | 169 | 46 | 184 | 28 | | 3 | | |
| GJ Claims | 7 | 6 | 3 | 4 | 6 | 1 | | | | |
| LJ District | 257 | 6 | 188 | 69 | 212 | 44 | | 1 | | |
| LJ Probate | 106 | 6 | 77 | 29 | 98 | 1 | | 1 | | |
| LJ Municipal | 4 | 4 | 3 | 1 | 4 | | | | | 6 ²³ |
| Minnesota | | | | | | | | | | |
| GJ District | 276 | 6 | 205 | 71 | 260 | 9 | | 3 | 3 | 1 ²⁴ |
| Mississippi | | | | | | | | | | |
| GJ Circuit | 49 | 4 | 40 | 9 | 41 | 8 | | | | |
| LJ Chancery | 45 | 4 | 32 | 13 | 37 | 8 | | | | |
| LJ County | 26 | 4 | 20 | 6 | 21 | 5 | | | | |
| LJ Municipal | 253 | LD ²⁵ | 228 | 25 | N/S | N/S | | N/S | N/S | N/S |
| LJ Justice | 197 | 4 | 156 | 41 | N/S | N/S | | N/S | N/S | N/S |
| Missouri | | | | | | | | | | |
| GJ Circuit | 322 ²⁶ | 6 ²⁷ | 267 | 55 | 304 ²⁸ | 18 | | | | |
| LJ Municipal | 377 | LD | N/S | N/S | N/S | N/S | | N/S | N/S | N/S |

Table 3. Trial Courts and Trial Court Judges of the United States

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; AP=At pleasure; DU=Duration of service; LD=Locally determined; VA=Varies; ~/=Not applicable

| | Number of judges | Length of term (years) | Gender | | Race and ethnic composition* | | | | | |
|-----------------------------------|-------------------|------------------------|--------|--------|------------------------------|---------------------------|--------------------|-------|------------------|-----|
| | | | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other | |
| Montana | | | | | | | | | | |
| GJ District | 39 ²⁹ | 6 | 31 | 8 | 39 | | | | | |
| GJ Workers' Compensation | 1 | 6 | 1 | | 1 | | | | | |
| GJ Water | 5 | 4 | 5 | | 5 | | | | | |
| LJ Justice of the Peace | 68 ³⁰ | 4 | 37 | 31 | 67 | | 1 | | | |
| LJ Municipal | 5 | 4 | 2 | 3 | 5 | | | | | |
| LJ City | 72 ³⁰ | 4 | 37 | 35 | 72 | | | | | |
| Nebraska | | | | | | | | | | |
| GJ District | 55 | 6 ³¹ | 47 | 8 | 54 | | | | | |
| LJ Separate Juvenile | 10 | 6 ³¹ | 7 | 3 | 8 | 2 | | | | |
| LJ County | 58 | 6 ³¹ | 49 | 9 | 56 | 2 | | | | |
| LJ Workers' Compensation | 7 | 6 ³¹ | 6 | 1 | 7 | | | | | |
| Nevada | | | | | | | | | | |
| GJ District | 60 | 6 | 41 | 19 | 37 | 1 | 1 | 1 | 20 ³² | |
| LJ Justice | 62 | 6 | 37 | 25 | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | 29 | VA | 20 | 9 | N/S | N/S | N/S | N/S | N/S | N/S |
| New Hampshire | | | | | | | | | | |
| GJ Superior | 26 | To age 70 | 20 | 6 | 26 | | | | | |
| LJ District | 68 | To age 70 | 60 | 8 | 67 | | | 1 | | |
| LJ Probate | 10 | To age 70 | 9 | 1 | 10 | | | | | |
| New Jersey | | | | | | | | | | |
| GJ Superior | 377 | 7 ³³ | 289 | 88 | 331 | 28 | 16 | 2 | | |
| LJ Tax | 7 ³⁴ | 7 ³³ | 6 | 1 | 7 | | | | | |
| LJ Municipal | 345 | 3 | 306 | 39 | 223 | 24 | 14 | 1 | 83 ³⁵ | |
| New Mexico | | | | | | | | | | |
| GJ District | 75 | 6 | 57 | 18 | 48 | 3 | 23 | | 1 ³⁶ | |
| LJ Magistrate | 62 | 4 | 49 | 13 | 30 | | 25 | | 7 ³⁶ | |
| LJ Metropolitan/Bernalillo County | 16 | 4 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | 85 | VA | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | 33 | 2 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | | | |
| GJ Supreme | 498 | 14 | 368 | 130 | 415 | 50 | 20 | 5 | 10 ³⁷ | |
| GJ County | 111 | 10 | 100 | 11 | 105 | 4 | | | 2 ³⁷ | |
| GJ Claims | 60 | 9 | 53 | 7 | 48 | 2 | 3 | | 7 ³⁷ | |
| LJ Surrogates' | 20 | 10 ³⁸ | 15 | 5 | 19 | | | | 1 ³⁷ | |
| LJ Family | 95 | 10 | 48 | 47 | 84 | 5 | 4 | 1 | 1 ³⁷ | |
| LJ District ³⁹ | 167 | 6 | 132 | 35 | 146 | 9 | | | 12 ³⁷ | |
| LJ City | 40 | 10 | 40 | 40 | 40 | 40 | | | 40 | |
| LJ NYC Civil | 132 | 10 ⁴¹ | 67 | 65 | 78 | 20 | 18 | 7 | 9 ⁴² | |
| LJ NYC Criminal | 36 | 10 | 22 | 14 | 25 | 5 | 4 | | 2 ³⁷ | |
| LJ Town & Village Justice | 2,300 | VA | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| North Carolina | | | | | | | | | | |
| GJ Superior | 105 ⁴³ | 8 ⁴⁴ | 97 | 8 | 86 | 17 | 1 | | 1 ⁴⁵ | |
| LJ District | 234 | 4 | 168 | 66 | 202 | 29 | | | 3 ⁴⁵ | |
| North Dakota | | | | | | | | | | |
| GJ District | 42 | 6 | 35 | 7 | 42 | | | | | |
| LJ Municipal | 80 | 4 | 80 | | N/S | N/S | N/S | N/S | N/S | N/S |
| Ohio | | | | | | | | | | |
| GJ Common Pleas | 384 | 6 | 303 | 81 | 353 | 11 | | | 20 ⁴⁶ | |
| LJ Municipal | 200 | 6 | 148 | 52 | 173 | 22 | | | 5 ⁴⁷ | |
| LJ County | 46 | 6 | 41 | 5 | 40 | 1 | | | 5 ⁴⁸ | |
| LJ Claims | 2 | 49 | 2 | | 2 | | | | | |
| LJ Mayor's | 322 | DU | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Oklahoma | | | | | | | | | | |
| GJ District | 221 ⁵⁰ | 4 ⁵¹ | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal Not of Record | 350 | 2 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal of Record | 26 | 2 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Workers' Compensation | 10 | 6 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Tax Review | 3 | DU | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |

Table 3. Trial Courts and Trial Court Judges of the United States

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; AP=At pleasure; DU=Duration of service; LD=Locally determined; VA=Varies; ~/=Not applicable

| | Number of judges | Length of term (years) | Gender | | Race and ethnic composition* | | | | | |
|---|-------------------|------------------------|-------------------|-------------------|------------------------------|---------------------------|--------------------|-----------------|-------------------|--|
| | | | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other | |
| Oregon | | | | | | | | | | |
| GJ Circuit | 169 | 6 | 121 | 48 | 157 | 1 | 3 | 1 | 7 ⁵² | |
| GJ Tax | 1 | 6 | 1 | | 1 | | | | | |
| LJ County | 7 | 6 | 5 | 2 | N/S | N/S | N/S | N/S | N/S | |
| LJ Justice | 30 | 6 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| LJ Municipal | 225 | LD | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| Pennsylvania | | | | | | | | | | |
| GJ Common Pleas | 493 ⁵³ | 10 | 398 | 95 | N/S | N/S | N/S | N/S | N/S | |
| LJ Philadelphia Municipal | 31 ⁵³ | 6 | 21 | 10 | N/S | N/S | N/S | N/S | N/S | |
| LJ Magisterial District Judge ⁵⁴ | 618 ⁵³ | 6 | 464 | 154 | N/S | N/S | N/S | N/S | N/S | |
| LJ Philadelphia Traffic | 9 ⁵³ | 6 | 5 | 4 | N/S | N/S | N/S | N/S | N/S | |
| Puerto Rico | | | | | | | | | | |
| GJ First Instance | 328 ⁵⁵ | 12 ⁵⁶ | NR | NR | NR | NR | NR | NR | NR | |
| Rhode Island | | | | | | | | | | |
| GJ Superior | 26 ⁵⁷ | Life | 17 | 9 | 24 | 2 | | | | |
| LJ Workers' Compensation | 9 | VA | 6 | 3 | 9 | | | | | |
| LJ District | 15 ⁵⁷ | Life | 10 | 5 | 13 | 1 | 1 | | | |
| LJ Family | 20 ⁵⁷ | Life | 11 | 9 | 20 | | | | | |
| LJ Probate | 39 | 2 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| LJ Municipal | 21 | 2 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| LJ Traffic Tribunal | 7 ⁵⁷ | VA | 4 | 3 | 6 | 1 | | | | |
| South Carolina | | | | | | | | | | |
| GJ Circuit | 45 ⁵⁸ | 6 | 42 | 4 | 41 | 5 | | | | |
| LJ Family | 51 ⁵⁸ | 6 | 38 | 14 | 51 | 1 | | | | |
| LJ Magistrate | 309 | 4 | 233 ⁵⁹ | 57 ⁵⁹ | 238 | 76 | | | | |
| LJ Probate | 46 | 4 | 23 | 23 | 44 | 2 | | | | |
| LJ Municipal | 328 | 2-4 | 214 ⁶⁰ | 60 ⁶⁰ | 237 | 45 | | 4 | 19 ⁶¹ | |
| South Dakota | | | | | | | | | | |
| GJ Circuit | 38 | 8 | 34 | 4 | 38 | | | | | |
| LJ Magistrate | 14 | 4 | 9 | 5 | 14 | | | | | |
| Tennessee | | | | | | | | | | |
| GJ Circuit | 83 | 8 | 71 | 12 | 80 | 3 | | | | |
| GJ Chancery | 34 | 8 | 27 | 7 | 31 | 3 | | | | |
| GJ Criminal | 33 | 8 | 24 | 9 | 29 | 4 | | | | |
| GJ Probate | 2 | 8 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| LJ Juvenile | 17 | 8 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| LJ Municipal | 170 | LD | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| LJ General Sessions | 154 ⁶² | 8 | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| Texas | | | | | | | | | | |
| GJ District | 424 | 4 | 315 | 109 | 346 | 13 | 49 | 1 ⁶³ | 15 ⁶⁴ | |
| LJ County-level | 481 | 4 | 390 | 91 | 347 | 6 | 48 | | 80 ⁶⁵ | |
| LJ Justice of the Peace | 826 | 4 | 547 ⁶⁶ | 262 ⁶⁶ | 451 | 19 | 87 | | 269 ⁶⁷ | |
| LJ Municipal | 1,343 | LD | 879 ⁶⁸ | 405 ⁶⁸ | 590 | 15 | 80 | 2 ⁶³ | 656 ⁶⁹ | |
| Utah | | | | | | | | | | |
| GJ District | 70 | 6 ⁷⁰ | 62 | 8 | 65 | 1 | 1 | 2 | 1 ⁷¹ | |
| LJ Justice | 120 | 4 | 70 | 50 | 117 | 1 | 1 | 1 | | |
| LJ Juvenile | 26 | 6 ⁷⁰ | 17 | 9 | 24 | | 2 | | | |
| Vermont | | | | | | | | | | |
| GJ Superior | 14 | 6 | 8 | 6 | 14 | | | | | |
| GJ District | 17 | 6 | 12 | 5 | 17 | | | | | |
| GJ Family | 5 ⁷² | 6 ⁷² | 1 ⁷² | 4 ⁷² | 5 ⁷² | | | | | |
| LJ Probate | 18 | 4 | 11 | 7 | 17 | | | 1 | | |
| LJ Environmental | 2 | 6 | 1 | 1 | 2 | | | | | |
| LJ Judicial Bureau | 3 | 6 | | 3 | 3 | | | | | |
| Virginia | | | | | | | | | | |
| GJ Circuit | 156 | 8 | 140 | 16 | 139 | 17 | | | | |
| LJ District | 239 | 6 | 180 | 59 | 212 | 27 | | | | |

Table 3. Trial Courts and Trial Court Judges of the United States

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; AP=At pleasure; DU=Duration of service; LD=Locally determined; VA=Varies; ~/=Not applicable

| | Number of judges | Length of term (years) | Gender | | Race and ethnic composition* | | | | | |
|----------------------|------------------|------------------------|-------------------|------------------|------------------------------|---------------------------|--------------------|-------|-------|------------------|
| | | | Male | Female | White | Black or African American | Hispanic or Latino | Asian | Other | |
| Washington | | | | | | | | | | |
| GJ Superior | 179 | 4 | 125 ⁷³ | 52 ⁷³ | 160 | 11 | 2 | | 4 | 2 ⁷³ |
| LJ District | 109 | 4 | 79 | 30 | 105 | 1 | | | 3 | |
| LJ Municipal | 98 | 4 | 75 ⁷⁴ | 12 ⁷⁴ | 83 | 2 | 2 | | | 11 ⁷⁴ |
| West Virginia | | | | | | | | | | |
| GJ Circuit | 65 | 8 | 63 | 2 | 63 | 2 | | | | |
| LJ Magistrate | 158 | 4 | 95 | 63 | 157 | 1 | | | | |
| LJ Municipal | 122 | LD | N/S | N/S | N/S | N/S | | | | |
| LJ Family | 35 | 8 ⁷⁵ | 21 | 14 | 35 | | | | | |
| Wisconsin | | | | | | | | | | |
| GJ Circuit | 240 | 6 | 209 | 31 | 229 | 6 | 3 | | | 2 ⁷⁶ |
| LJ Municipal | 232 | 2-4 | 191 | 41 | N/S | N/S | N/S | | N/S | N/S |
| Wyoming | | | | | | | | | | |
| GJ District | 20 ⁷⁷ | 6 | 18 | 2 | 20 | | | | | |
| LJ Circuit | 24 | 4 | 21 | 3 | 24 | | | | | |
| LJ Municipal | 81 | LD | 65 | 16 | N/S | N/S | N/S | N/S | N/S | N/S |

*Some states, as a matter of policy, do not release information on the composition of their bench. In addition, in many states there is no state-level body with responsibility for collecting information on the bench of limited jurisdiction courts that are primarily or exclusively locally funded.

FOOTNOTES:

Alabama:
¹ The length of term for Municipal Court judges is two years if the position is part-time.

Alaska:
² The initial term for Superior Court judges is three years.

Arizona:
³ Includes the Superior Court judge/judges who also serve on the Tax Court.
⁴ Also includes Superior Court judges that are Native Hawaiian/Pacific Islander.
⁵ One judge of the Superior Court is American Indian/Alaska Native.
⁶ The length of term for the Municipal Court varies by court, but the minimum term is two years.

Colorado:
⁷ The initial term for District Court, Denver Probate Court, Denver Juvenile Court, and County Court judges is two years.
⁸ District Court judges serve as Water Court judges.
⁹ The length of term for Municipal Court judges varies by court, but the term is not less than two years.

Connecticut:
¹⁰ One Superior Court judge is a Native Hawaiian/Pacific Islander.

Delaware:
¹¹ The initial term for Justices of the Peace is four years.
¹² One Common Pleas Court judge is American Indian/Alaska Native.

Florida:
¹³ The ethnicity of these judges is not known.

Georgia:
¹⁴ The ethnicity of these judges is not known.
¹⁵ Three Magistrate Court judges are American Indian/Alaska Native, and the ethnicity of 65 judges is not known.
¹⁶ One Municipal/City of Atlanta Court judge is multi-racial, and the ethnicity of 42 judges is not known.

Hawaii:
¹⁷ The Family Court is a division of the Circuit Court. Family Court judges are either Circuit Court judges assigned to the Family Court or are District Court-level judges (district/family judges).
¹⁸ Seven Circuit Court judges and eight District Court judges are Native Hawaiian/Pacific Islander.

Iowa:
¹⁹ The number of District Court judges includes associate judges and magistrates.
²⁰ The initial term for District judges is at least one year. Associate judges serve a term of four years with an initial term of at least one year, and magistrate judges serve a term of four years.

Kansas:
²¹ The number of District Court judges includes magistrates.

Louisiana:
²² The ethnicity of one Justice of the Peace is not known.

Michigan:
²³ The ethnicity of six Probate Court judges is not known.

Minnesota:
²⁴ One District Court judge is an American Indian/Alaska Native.

Mississippi:
²⁵ Municipal Court judges usually serve a term of four years.

Missouri:
²⁶ The number of Circuit Court judges includes associate judges.
²⁷ Associate Circuit judges serve a term of four years.
²⁸ Includes Circuit Court judges that are Hispanic or Latino, Asian, and American Indian/Alaska Native.

Montana:
²⁹ There are actually 42 District Court judges. Three of those judges serve the Water Court and are included in the data for that court.
³⁰ The Justice of the Peace Court and the City Court share a number of judges. As such, the number of judges listed for these courts is inflated.

Nebraska:
³¹ The initial term for Nebraska judges is at least three but no more than five years.

Nevada:
³² The ethnicity of these judges is not known.

New Jersey:
³³ After an initial seven-year term, the reappointment term for Superior and Tax Court judges is open-ended until mandatory retirement at age 70.
³⁴ There are actually 12 authorized Tax Court judges. Five of those judges are temporarily assigned to the Superior Court and are included in the data for that court.

Table 3. Trial Courts and Trial Court Judges of the United States

³⁵ One Municipal Court judge is American Indian/Alaska Native and the ethnicity of 82 judges is unknown.

New Mexico:

³⁶ One District Court judge and seven Magistrate Court judges are American Indian/Alaska Native.

New York:

³⁷ The ethnicity of these judges is not known.

³⁸ Surrogate Court judges in New York City serve a term of 14 years.

³⁹ The number of judges and the gender/ethnic composition for the District Court includes City Court judges, but does not include part-time judicial positions.

⁴⁰ This information is Included in the District Court data.

⁴¹ Housing judges within the New York City Civil Court serve a term of five years.

⁴² One New York City Civil (Housing) Court judge is American Indian/Alaska Native and the ethnicity of eight judges is not known.

North Carolina:

⁴³ The number of Superior Court judges includes special judges.

⁴⁴ Special judges serve a term of four years.

⁴⁵ One Superior Court judge and three District Court judges are American Indian/Alaska Native.

Ohio:

⁴⁶ One Court of Common Pleas judge is American Indian/Alaska Native, four judges are bi-racial, and the ethnicity of 15 judges is not known.

⁴⁷ Two Municipal Court judges are bi-racial, and the ethnicity of three judges is not known.

⁴⁸ One County Court judge is bi-racial, and the ethnicity of four judges is not known.

⁴⁹ Court of Claims judges are temporarily assigned by the Chief Justice of the Supreme Court.

Oklahoma:

⁵⁰ The number of District Court judges includes associate judges and special judges.

⁵¹ District and associate judges serve terms of four years; special judges serve at pleasure.

Oregon:

⁵² Two Circuit Court judges are American Indian/Alaska Native and the ethnicity of five judges is not known.

Pennsylvania:

⁵³ These numbers include both active and senior judges.

⁵⁴ Effective January 2005 the Pittsburgh City Magistrate's Court merged with the District Justice Court, which was renamed the Magisterial District Judges Court.

Puerto Rico:

⁵⁵ The number of Court of First Instance judges includes Municipal Division judges.

⁵⁶ Municipal Division judges serve a term of eight years.

Rhode Island:

⁵⁷ The number of judges includes magistrates.

South Carolina:

⁵⁸ Four to five judges are currently working as active retired judges.

⁵⁹ The gender of 28 Magistrate Court judges is not known.

⁶⁰ The gender of 31 Municipal Court judges is not known.

⁶¹ The ethnicity of these judges is not known.

Tennessee:

⁶² The number of General Sessions Court judges includes judges that also serve the Juvenile Court.

Texas:

⁶³ This classification includes Pacific Islander.

⁶⁴ Two District Court judges are American Indian/Alaska Native, and the ethnicity of 13 judges is not known.

⁶⁵ The ethnicity of 80 County-level Court judges is not known.

⁶⁶ The gender of 17 Justices of the Peace is not known.

⁶⁷ One Justice of the Peace is American Indian/Alaska Native and the ethnicity of 268 justices is not known.

⁶⁸ The gender of 59 Municipal Court judges is not known.

⁶⁹ Five Municipal Court judges are American Indian/Alaska Native and the ethnicity of 656 judges is not known.

Utah:

⁷⁰ The initial term of appointment is until the next general election immediately following the third year from the time of the initial appointment.

⁷¹ One District Court judge is Native Hawaiian/Pacific Islander.

Vermont:

⁷² Superior and District Court judges serve the Family Court.

Washington:

⁷³ The gender and race and ethnic composition data do not include two Superior Court judges.

⁷⁴ The gender and race and ethnic composition data do not include 11 Municipal Court judges.

West Virginia:

⁷⁵ The initial term for Family Court judges is six years.

Wisconsin:

⁷⁶ One Circuit Court judge is Native Hawaiian/Pacific Islander and the ethnicity of one judge is not known.

Wyoming:

⁷⁷ The number of District Court judges increased to 21 in 2005.

Part II: Judicial Selection and Service

How judges are selected and their terms of service on the bench differ sharply between the federal and state courts, and the differences among states are often nearly as significant. All federal judges are nominated by the President and serve “during good behavior” once confirmed by the U.S. Senate unless they resign or are impeached and convicted by the U.S. Congress. State court judges are likely to face an election as a part of their selection process and to serve fixed terms, which for COLR justices range between six and 14 years (15 years in the District of Columbia). Only Rhode Island offers appellate judges lifetime appointments, while the judges of Massachusetts’s and Puerto Rico’s Supreme Court serve until age 70 (Table 2).

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

One marker for examining the diverse selection methods adopted by the states is the “Missouri Plan.” In 1940, the State of Missouri amended its constitution to establish a statewide nominating committee for appellate judgeships and circuit-level commissions for general jurisdiction trial court judgeships. A judge, representatives of the state bar association, and non-lawyers appointed by the governor make up the committee. The governor must appoint one of the committee’s three nominees to fill a vacancy. The new appointee then faces a retention election in one year’s time, running against their own record and further retention elections at 12-year intervals. Thirty-seven states use some form of judicial nominating commission in judicial selection, which became popular in the 1970s (Table 8), although only 15 combine such a commission with retention elections on the Missouri model (Tables 4 and 6).

Since 1998, two states changed from partisan to non-partisan judicial elections. In Arkansas the public voted in November 2000 to make all judicial elections non-partisan. North Carolina made that change for District Court trial judges in 2000 and for all appellate judges in 2002.

All appellate courts and most trial courts have a chief justice or judge. Table 4 explains how chief justices and chief judges of COLRs and IACs are selected in each state. The length of their term in office can also be found in the table. How trial court chief judges (sometimes termed presiding judges) are selected is detailed in Table 6. The judges in a district or circuit typically select one of their peers to serve as the

chief judge for a fixed number of years, but the appointment may be made at the state level by the governor, Chief Justice of the COLR, or the COLR collectively. In some instances a specific individual is elected or appointed as the chief judge and holds that title throughout their tenure. In other trial courts, seniority establishes who is selected as the chief judge.

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

Nineteen states, the District of Columbia, and Puerto Rico make formal provision for an ongoing evaluation of judicial performance (Table 10). States with retention elections for judges are the most likely to evaluate performance and make public the results, but some with nonpartisan elections do so as well (Minnesota), as do many with a system of judicial appointments (Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont). Table 10 identifies the body responsible for operating the program, the implementing authority, the membership of the evaluating body, and how the evaluation is undertaken.

Judicial conduct organizations are the main arbiters of what constitutes judicial misconduct in the states. Conduct organizations investigate complaints against members of the judiciary and typically include a mix of judges, lawyers, and ordinary citizens. The adjudicatory function is usually exercised by the COLR, although sometimes the original conduct organization both investigates and adjudicates complaints. In such instances there is usually a right of appeal to the state’s COLR. Table 11 highlights the various investigating and adjudicating bodies as well as their respective organizational structure. This table also indicates which court or other entity adjudicates complaints, hears appeals, has final disciplinary authority, and at what point reprimands are made public.

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Tables 4 & 6

Hunter Center for Judicial Selection (American Judicature Society), *Judicial Selection in the States* <http://www.ajs.org/js> provides a comprehensive state-by-state resource on current methods of judicial selection for all court levels and extensive background material on the history of judicial selection.

Table 4. Selection of Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; N/S=Not stated; ~ =Not applicable

| | | Appellate judges | | | | Chief justice/judge | |
|-----------------------------|-------------------------------|---------------------|-----------------|---------------------|--------------------------------|-----------------------|----------------|
| | | Method of selection | | Method of retention | Geographic basis for selection | Method of appointment | Term (years) |
| | | Unexpired term | Full term | | | | |
| Alabama | | | | | | | |
| SC | Supreme Court | GU | PE | PE | SW | NP | 6 |
| IA | Court of Civil Appeals | GU | PE | PE | SW | CS | ID |
| IA | Court of Criminal Appeals | GU | PE | PE | SW | SN | ID |
| Alaska | | | | | | | |
| SC | Supreme Court | GN | GN | RE ¹ | SW | CS | 3 |
| IA | Court of Appeals | GN | GN | RE ¹ | SW | SCJ | 2 |
| Arizona | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | CS | 5 |
| IA | Court of Appeals | GN | GN | RE | DS | CS | 1 |
| Arkansas | | | | | | | |
| SC | Supreme Court | GU | NP | NP | SW | NP | 8 |
| IA | Court of Appeals | GU | NP | NP | DS | SCJ | 4 |
| California | | | | | | | |
| SC | Supreme Court | GU | GU | RE | SW | GU | 12 |
| IA | Courts of Appeal | GU | GU | RE | DS | GU | 12 |
| Colorado | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | CS | ID |
| IA | Court of Appeals | GN | GN | RE | SW | SCJ | AP |
| Connecticut | | | | | | | |
| SC | Supreme Court | GNL | GNL | GNL | SW | GNL | 8 |
| IA | Appellate Court | GNL | GNL | GNL | SW | SCJ | ID |
| Delaware | | | | | | | |
| SC | Supreme Court | GNL | GNL | GNL | SW | GU | 12 |
| District of Columbia | | | | | | | |
| SC | Court of Appeals | 2 | 2 | 2 | SW ³ | JN | 4 |
| Florida | | | | | | | |
| SC | Supreme Court | GN | GN | RE | DS and SW ⁴ | CS | 2 |
| IA | District Courts of Appeal | GN | GN | RE | DS | CS | 2 |
| Georgia | | | | | | | |
| SC | Supreme Court | GN | NP | NP | SW | CS | 2 |
| IA | Court of Appeals | GN | NP | NP | SW | SN | 2 |
| Hawaii | | | | | | | |
| SC | Supreme Court | GNL | GNL | JN | SW | GNL | 10 |
| IA | Intermediate Court of Appeals | GNL | GNL | JN | SW | GNL | 10 |
| Idaho | | | | | | | |
| SC | Supreme Court | GN | NP | NP | SW | CS | 4 |
| IA | Court of Appeals | GN | NP | NP | SW | SCJ | 2 |
| Illinois | | | | | | | |
| SC | Supreme Court | CS | PE | RE | DS | CS | 3 |
| IA | Appellate Court | SC | PE | RE | DS | CS | 1 |
| Indiana | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | JN | 5 |
| IA | Court of Appeals | GN | GN | RE | DS | CS | 3 |
| IA | Tax Court | GN | GN | RE | SW | ~ | ~ |
| Iowa | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | CS | 8 ⁵ |
| IA | Court of Appeals | GN | GN | RE | SW | CS | 2 |
| Kansas | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | SN | ID |
| IA | Court of Appeals | GN | GN | RE | SW | SC | ID |
| Kentucky | | | | | | | |
| SC | Supreme Court | GN | NP | NP | DS | CS | 4 |
| IA | Court of Appeals | GN | NP | NP | DS | CS | 4 |
| Louisiana | | | | | | | |
| SC | Supreme Court | CS ⁶ | PE ⁷ | PE ⁷ | DS | SN | DU |
| IA | Courts of Appeal | SC ⁶ | PE ⁷ | PE ⁷ | DS | SN | DU |

Table 4. Selection of Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; N/S=Not stated; ~=Not applicable

| | | Appellate judges | | | | Chief justice/judge | |
|-----------------------|--------------------------------|---------------------|------------------|---------------------|--------------------------------|-----------------------|-----------------|
| | | Method of selection | | Method of retention | Geographic basis for selection | Method of appointment | Term (years) |
| | | Unexpired term | Full term | | | | |
| Maine | | | | | | | |
| SC | Supreme Judicial Court | GL | GL | GL | SW | GU | 7 |
| Maryland | | | | | | | |
| SC | Court of Appeals | GNL | GNL | RE | DS | GU | ID |
| IA | Court of Special Appeals | GNL | GNL | RE | DS | GU | ID |
| Massachusetts | | | | | | | |
| SC | Supreme Judicial Court | ~ ⁸ | GNE ⁹ | ~ ¹⁰ | SW | GE ¹¹ | To age 70 |
| IA | Appeals Court | ~ ⁸ | GNE ⁹ | ~ ¹⁰ | SW | GE ¹¹ | To age 70 |
| Michigan | | | | | | | |
| SC | Supreme Court | GU | NP ¹² | NP ¹² | SW | CS | 2 |
| IA | Court of Appeals | GU | NP ¹² | NP ¹² | DS | SC | 2 |
| Minnesota | | | | | | | |
| SC | Supreme Court | GU | NP | NP | SW | GU | 6 |
| IA | Court of Appeals | GU | NP | NP | SW | GU | 3 |
| Mississippi | | | | | | | |
| SC | Supreme Court | GU | NP | NP | DS | SN | DU |
| IA | Court of Appeals | GU | NP | NP | DS | SCJ | 4 |
| Missouri | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | CS | 2 |
| IA | Court of Appeals | GN | GN | RE | DS | CS | 2 ¹³ |
| Montana | | | | | | | |
| SC | Supreme Court | GNL | NP | NP ¹⁴ | SW | NP | 8 |
| Nebraska | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW and DS ¹⁵ | GN | DU |
| IA | Court of Appeals | GN | GN | RE | DS | CS ¹⁶ | 2 |
| Nevada | | | | | | | |
| SC | Supreme Court | GN | NP | NP | SW | Rotation | 2 ¹⁷ |
| New Hampshire | | | | | | | |
| SC | Supreme Court | GE | GE | ~ ¹⁸ | SW | SN | 5 |
| New Jersey | | | | | | | |
| SC | Supreme Court | GL | GL ¹⁹ | GL ¹⁹ | SW | GL | DU |
| IA | Superior Court, Appellate Div. | GL | GL ¹⁹ | GL ¹⁹ | SW | SCJ | AP |
| New Mexico | | | | | | | |
| SC | Supreme Court | GN | PE | RE | SW | CS | 2 |
| IA | Court of Appeals | GN | PE | RE | SW | CS | 2 |
| New York | | | | | | | |
| SC | Court of Appeals | GNL | GNL | GNL | SW | GN | 14 |
| IA | Supreme Ct., Appellate Div. | GN | GN | GN | SW ²⁰ | GN | DU |
| North Carolina | | | | | | | |
| SC | Supreme Court | GU | NP | NP | SW | NP | 8 |
| IA | Court of Appeals | GU | NP | NP | SW | SCJ | AP |
| North Dakota | | | | | | | |
| SC | Supreme Court | GN ²¹ | NP | NP | SW | CS ²² | 5 ²³ |
| Ohio | | | | | | | |
| SC | Supreme Court | GU | PE ²⁴ | PE ²⁴ | SW | PE ²⁴ | 6 |
| IA | Courts of Appeals | GU | PE ²⁴ | PE ²⁴ | DS | CS ²⁵ | Calendar year |
| Oklahoma | | | | | | | |
| SC | Supreme Court | GN | GN | RE | DS | CS | DU |
| SC | Court of Criminal Appeals | GN | GN | RE | DS | CS | 5 |
| IA | Court of Civil Appeals | GN | GN | RE | DS | CS | 5 |
| Oregon | | | | | | | |
| SC | Supreme Court | GU | NP | NP | SW | CS | 6 |
| IA | Court of Appeals | GU | NP | NP | SW | SCJ | 2 |

Table 4. Selection of Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; N/S=Not stated; ~/=Not applicable

| | Appellate judges | | | | Chief justice/judge | | |
|-----------------------|---------------------------|------------------|---------------------|--------------------------------|-------------------------|------------------|-----------------|
| | Method of selection | | Method of retention | Geographic basis for selection | Method of appointment | Term (years) | |
| | Unexpired term | Full term | | | | | |
| Pennsylvania | | | | | | | |
| SC | Supreme Court | GL | PE | RE | SW | SN | DU |
| IA | Superior Court | GL | PE | RE | SW | CS | 5 |
| IA | Commonwealth Court | GL | PE | RE | SW | CS | 5 |
| Puerto Rico | | | | | | | |
| SC | Supreme Court | GL | GL | ~ ²⁶ | SW | GL | To age 70 |
| IA | Court of Appeals | GL | GL | GL | SW | SCJ | At pleasure |
| Rhode Island | | | | | | | |
| SC | Supreme Court | GN | GN | ~ ²⁷ | SW | GN | Life |
| South Carolina | | | | | | | |
| SC | Supreme Court | LA | LA | LA | SW | LA | 10 |
| IA | Court of Appeals | LA | LA | LA | SW | LA | 6 |
| South Dakota | | | | | | | |
| SC | Supreme Court | GN | GN | RE | DS and SW ²⁸ | CS | 4 |
| Tennessee | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | CS | 4 |
| IA | Court of Appeals | GN | GN | RE | SW | CS | 1 term |
| IA | Court of Criminal Appeals | GN | GN | RE | SW | CS | 1 term |
| Texas | | | | | | | |
| SC | Supreme Court | GU | PE | PE | SW | PE | 6 |
| SC | Court of Criminal Appeals | GU | PE | PE | SW | PE | 6 |
| IA | Courts of Appeals | GU | PE | PE | DS | PE | 6 |
| Utah | | | | | | | |
| SC | Supreme Court | GNL | GNL | RE | SW | CS | 4 |
| IA | Court of Appeals | GNL | GNL | RE | SW | CS | 2 |
| Vermont | | | | | | | |
| SC | Supreme Court | GNL | GNL | LA | SW | GNL | 6 |
| Virginia | | | | | | | |
| SC | Supreme Court | GU ²⁹ | LA | LA | SW | CS | 4 |
| IA | Court of Appeals | GU ²⁹ | LA | LA | SW | CS | 4 |
| Washington | | | | | | | |
| SC | Supreme Court | GU | NP | NP | SW | CS | 4 |
| IA | Courts of Appeals | GU | NP | NP | DS | CS ³⁰ | 2 ³¹ |
| West Virginia | | | | | | | |
| SC | Supreme Court of Appeals | GU ³² | PE | PE | SW | SN | 1 |
| Wisconsin | | | | | | | |
| SC | Supreme Court | GN | NP | NP | SW | SN | Until declined |
| IA | Court of Appeals | GN | NP | NP | DS | SC | 3 |
| Wyoming | | | | | | | |
| SC | Supreme Court | GN | GN | RE | SW | CS | 4 |

ABBREVIATIONS:

AP = At pleasure
 CS = Court selection
 DS = District
 DU = Duration of service
 GE = Gubernatorial appointment with approval of elected executive council
 GL = Gubernatorial appointment with consent of the legislature
 GN = Gubernatorial appointment from judicial nominating commission
 GNE = Gubernatorial appointment from judicial nominating commission with approval of elected executive council
 GNL = Gubernatorial appointment from judicial nominating commission with consent of the legislature

GU = Gubernatorial appointment
 ID = Indefinite
 JN = Judicial nominating commission appoints
 LA = Legislative appointment
 NP = Non-partisan election
 PE = Partisan election
 RE = Retention election
 SC = Court of last resort appoints
 SCJ = Chief justice/judge of the court of last resort appoints
 SN = Seniority
 SW = Statewide

Table 4. Selection of Appellate Court Judges

FOOTNOTES:

Alaska:

¹ A judge must run for a retention election at the next election, immediately following the third year from the time of initial appointment.

District of Columbia:

² Initial appointment is made by the President of the United States and confirmed by the Senate. Six months prior to the expiration of the term of office, the judge's performance is reviewed by the tenure commission. Those found "well qualified" are automatically reappointed. If a judge is found to be "qualified" the President may nominate the judge for an additional term (subject to Senate confirmation). If the President does not wish to reappoint the judge, the District of Columbia Nomination Commission compiles a new list of candidates.

³ The geographic basis of selection is the District of Columbia.

Florida:

⁴ Five justices are selected by region (based on the District Courts of Appeal) and two justices are selected statewide.

Iowa:

⁵ The Chief Justice serves either eight years or the duration of his/her term.

Louisiana:

⁶ The person selected by the Supreme Court is prohibited from running for that judgeship; an election is held within one year to serve the remainder of the term.

⁷ Louisiana uses a blanket primary, in which all candidates appear with party labels on the primary ballot. The two top vote getters compete in the general election.

Massachusetts:

⁸ There are no expired judicial terms. A judicial term expires upon the death, resignation, retirement, or removal of an incumbent.

⁹ The Executive (Governor's) Council is made up of nine people elected by geographical area and presided over by the Lieutenant Governor.

¹⁰ There is no retention process. Judges serve during good behavior to age 70.

¹¹ Chief Justice, in the appellate courts, is a separate judicial office from that of an Associate Judge. Chief Justices are appointed, until age 70, by the Governor with the advice and consent of the Executive (Governor's) Council.

Michigan:

¹² Candidates may be nominated by political parties and are elected on a nonpartisan ballot.

Missouri:

¹³ Terms are two years in length in the Western and Southern districts; one year in length in the Eastern district.

Montana:

¹⁴ If the justice/judge is unopposed, a retention election is held.

Nebraska:

¹⁵ Chief Justices are selected statewide while Associate Justices are selected by district.

¹⁶ The Chief Justice/Judge is selected by a majority vote of the Court of Appeals with ratification of the selection by the Supreme Court.

Nevada:

¹⁷ The term may be split between eligible justices.

New Hampshire:

¹⁸ There is no retention process. Judges serve during good behavior to age 70.

New Jersey:

¹⁹ All Superior Court judges, including Appellate Division judges, are subject to gubernatorial reappointment and consent by the Senate after an initial seven-year term. Among all the judges, the Chief Justice designates the judges of the Appellate Division.

New York:

²⁰ The Presiding Judge of each Appellate Division must be a resident of the department.

North Dakota:

²¹ The Governor may appoint from a list of names or call a special election at his discretion.

²² Selection is done by the judges of both the Supreme and District courts.

²³ The term of the Chief Justice is five years or until the judge's term expires, whichever occurs first.

Ohio:

²⁴ Party affiliation is not included on the ballot in the general election, but candidates are chosen through partisan primary nominations.

²⁵ Selection is done by the judges of each district.

Puerto Rico:

²⁶ There is no retention process. Judges serve during good behavior to age 70.

Rhode Island:

²⁷ There is no retention process. Judges serve during good behavior for a life tenure.

South Dakota:

²⁸ Initial selection is by district, but retention selection is statewide.

Virginia:

²⁹ Gubernatorial appointment is for interim appointments.

Washington:

³⁰ The Chief Judge is chosen by the Division judges. The Presiding Chief Judge is chosen by court selection, but the position rotates among the three divisions.

³¹ The term of the Presiding Chief Judge is one year.

West Virginia:

³² Appointment is effective only until the next election year; the appointee may run for election to any remaining portion of the unexpired term.

Table 5. Qualifications to Serve as an Appellate Court Judge

Legend: SC=Court of last resort; IA=Intermediate appellate court; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | Residency requirement | | Age | | Legal credentials | | | |
|-----------------------------|-------------------------------|----------------|---------|---------|-------------------|---------------------------|-------------------------------------|--|
| | Local | State | Minimum | Maximum | | | | |
| Alabama | | | | | | | | |
| SC | Supreme Court | | | | 70 ¹ | Licensed attorney | | |
| IA | Court of Civil Appeals | | | | 70 | Licensed attorney | | |
| IA | Court of Criminal Appeals | | | | 70 | Licensed attorney | | |
| Alaska | | | | | | | | |
| SC | Supreme Court | | | | 70 | 8 years practice | | |
| IA | Court of Appeals | | | | 70 | 8 years practice | | |
| Arizona | | | | | | | | |
| SC | Supreme Court | | | | | 10 years state bar | | |
| IA | Court of Appeals | ■ | | | 30 | 70 | 5 years state bar | |
| Arkansas | | | | | | | | |
| SC | Supreme Court | | | | 30 | 8 years licensed in state | | |
| IA | Court of Appeals | ■ | | | 30 | 8 years licensed in state | | |
| California | | | | | | | | |
| SC | Supreme Court | | | | | 10 years state bar | | |
| IA | Courts of Appeal | | | | | 10 years state bar | | |
| Colorado | | | | | | | | |
| SC | Supreme Court | | | | | 72 | 5 years state bar | |
| IA | Court of Appeals | | | | | 72 | 5 years state bar | |
| Connecticut | | | | | | | | |
| SC | Supreme Court | | | | | 70 | Licensed attorney | |
| IA | Appellate Court | | | | | 70 | Licensed attorney | |
| Delaware | | | | | | | | |
| SC | Supreme Court | | | | | | "Learned in law" | |
| District of Columbia | | | | | | | | |
| SC | Court of Appeals | 90 days | | | | 74 | 5 years state bar | |
| Florida | | | | | | | | |
| SC | Supreme Court | ■ ² | | | | 70 | 10 years state bar | |
| IA | District Courts of Appeal | ■ ² | | | | 70 | 10 years state bar | |
| Georgia | | | | | | | | |
| SC | Supreme Court | | | | | 4 | 7 years state bar | |
| IA | Court of Appeals | | | | | 4 | 7 years state bar | |
| Hawaii | | | | | | | | |
| SC | Supreme Court | | | | | 70 | 10 years state bar | |
| IA | Intermediate Court of Appeals | | | | | 70 | 10 years state bar | |
| Idaho | | | | | | | | |
| SC | Supreme Court | | | | | | 10 years state bar | |
| IA | Court of Appeals | | | | | 30 | 10 years state bar | |
| Illinois | | | | | | | | |
| SC | Supreme Court | ■ | | | | 75 | Licensed attorney | |
| IA | Appellate Court | ■ | | | | 75 | Licensed attorney | |
| Indiana | | | | | | | | |
| SC | Supreme Court | | | | | 75 | 10 years state bar ⁵ | |
| IA | Court of Appeals | ■ | | | | 75 | 10 years state bar ⁵ | |
| IA | Tax Court | | | | | | 5 years state bar | |
| Iowa | | | | | | | | |
| SC | Supreme Court | | | | | 72 | Licensed attorney | |
| IA | Court of Appeals | | | | | 72 | Licensed attorney | |
| Kansas | | | | | | | | |
| SC | Supreme Court | | | | | 30 | 70 ⁶ | 10 years active and continuous practice ⁷ |
| IA | Court of Appeals | | | | | 30 | 75 | 10 years active and continuous practice ⁷ |
| Kentucky | | | | | | | | |
| SC | Supreme Court | 2 years | 2 years | | | | 8 years state bar/licensed attorney | |
| IA | Court of Appeals | 2 years | 2 years | | | | 8 years state bar/licensed attorney | |
| Louisiana | | | | | | | | |
| SC | Supreme Court | 2 years | 2 years | | | | 70 ⁸ | 5 years state bar |
| IA | Courts of Appeal | 2 years | 2 years | | | | 70 ⁸ | 5 years state bar |

Table 5. Qualifications to Serve as an Appellate Court Judge

Legend: SC=Court of last resort; IA=Intermediate appellate court; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | | Residency requirement | | Age | | Legal credentials |
|-----------------------|--------------------------------|-----------------------|-----------------------|---------|------------------|--|
| | | Local | State | Minimum | Maximum | |
| Maine | | | | | | |
| SC | Supreme Judicial Court | | | | | "Learned in law" |
| Maryland | | | | | | |
| SC | Court of Appeals | 6 months | 5 years | 30 | 70 | State bar member |
| IA | Court of Special Appeals | 6 months | 5 years | 30 | 70 | State bar member |
| Massachusetts | | | | | | |
| SC | Supreme Judicial Court | | | | 70 | |
| IA | Appeals Court | | | | 70 | |
| Michigan | | | | | | |
| SC | Supreme Court | | ■ | | 75 ¹⁰ | State bar member; at least 5 years practice |
| IA | Court of Appeals | ■ ⁹ | ■ | | 75 ¹⁰ | State bar member |
| Minnesota | | | | | | |
| SC | Supreme Court | | | | 70 | Licensed attorney |
| IA | Court of Appeals | Varies | | | 70 | Licensed attorney |
| Mississippi | | | | | | |
| SC | Supreme Court | ■ ¹¹ | 5 years | 30 | | 5 years state bar |
| IA | Court of Appeals | ■ ¹¹ | 5 years | 30 | | 5 years state bar |
| Missouri | | | | | | |
| SC | Supreme Court | | 9 years ¹² | 30 | 70 | State bar member |
| IA | Court of Appeals | ■ | 9 years ¹² | 30 | 70 | State bar member |
| Montana | | | | | | |
| SC | Supreme Court | | 2 years | | | 5 years state bar |
| Nebraska | | | | | | |
| SC | Supreme Court | ■ | 3 years | 30 | | 5 years practice |
| IA | Court of Appeals | ■ | ■ | 30 | | 5 years practice |
| Nevada | | | | | | |
| SC | Supreme Court | | 2 years | 25 | | State bar member ¹³ |
| New Hampshire | | | | | | |
| SC | Supreme Court | | | | 70 | |
| New Jersey | | | | | | |
| SC | Supreme Court | | | | 70 | Minimum 10 years practice in state |
| IA | Superior Court, Appellate Div. | | | | 70 | Minimum 10 years practice in state |
| New Mexico | | | | | | |
| SC | Supreme Court | | 3 years | 35 | | 10 years practice and/or current state judge |
| IA | Court of Appeals | | 3 years | 35 | | 10 years practice and/or current state judge |
| New York | | | | | | |
| SC | Court of Appeals | | ■ | | 70 | 10 years state bar |
| IA | Supreme Ct., Appellate Div. | ■ ¹⁴ | ■ | 18 | 70 ¹⁵ | 10 years state bar |
| North Carolina | | | | | | |
| SC | Supreme Court | | | | 72 | State bar member |
| IA | Court of Appeals | | | | 72 | State bar member |
| North Dakota | | | | | | |
| SC | Supreme Court | | ■ | | | License to practice law |
| Ohio | | | | | | |
| SC | Supreme Court | | ■ | | 70 | 6 years practice |
| IA | Courts of Appeals | ■ ¹⁶ | ■ | | 70 | 6 years practice |
| Oklahoma | | | | | | |
| SC | Supreme Court | 1 year | ■ | 30 | | 5 years state bar |
| SC | Court of Criminal Appeals | 1 year | ■ | 30 | | 5 years state bar |
| IA | Court of Civil Appeals | ■ ¹⁷ | ■ | | | ¹⁸ |
| Oregon | | | | | | |
| SC | Supreme Court | | 3 years | | 75 | State bar member |
| IA | Court of Appeals | | | | 75 | State bar member |

Table 5. Qualifications to Serve as an Appellate Court Judge

Legend: SC=Court of last resort; IA=Intermediate appellate court; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | Residency requirement | | Age | | Legal credentials |
|-----------------------|---------------------------|-----------------|---------|------------------|---------------------------|
| | Local | State | Minimum | Maximum | |
| Pennsylvania | | | | | |
| SC | Supreme Court | 1 year | | 70 | State bar member |
| IA | Superior Court | 1 year | | 70 | State bar member |
| IA | Commonwealth Court | 1 year | | 70 | State bar member |
| Puerto Rico | | | | | |
| SC | Supreme Court | 5 years | | 70 | 10 years state bar |
| IA | Court of Appeals | 5 years | | 70 | 10 years state bar |
| Rhode Island | | | | | |
| SC | Supreme Court | | 21 | | License to practice law |
| South Carolina | | | | | |
| SC | Supreme Court | 5 years | 32 | 72 | 8 years state bar |
| IA | Court of Appeals | 5 years | 32 | 72 | 8 years state bar |
| South Dakota | | | | | |
| SC | Supreme Court | ■ | | 70 | State bar member |
| Tennessee | | | | | |
| SC | Supreme Court | ■ ¹⁹ | 5 years | 35 | Qualified to practice law |
| IA | Court of Appeals | ■ ²⁰ | 5 years | 30 | Qualified to practice law |
| IA | Court of Criminal Appeals | ■ ²⁰ | 5 years | 30 | Qualified to practice law |
| Texas | | | | | |
| SC | Supreme Court | | 35 | 74 | ²¹ |
| SC | Court of Criminal Appeals | | 35 | 74 | ²¹ |
| IA | Courts of Appeals | ■ | 35 | 74 | ²¹ |
| Utah | | | | | |
| SC | Supreme Court | 5 years | 30 | 75 | Admitted to practice law |
| IA | Court of Appeals | 3 years | 25 | 75 | Admitted to practice law |
| Vermont | | | | | |
| SC | Supreme Court | | | 90 | 5 years state bar |
| Virginia | | | | | |
| SC | Supreme Court | | | 70 ²² | 5 years state bar |
| IA | Court of Appeals | | | 70 ²³ | 5 years state bar |
| Washington | | | | | |
| SC | Supreme Court | 1 year | 1 year | 75 | State bar member |
| IA | Courts of Appeals | 1 year | 1 year | 75 | 5 years state bar |
| West Virginia | | | | | |
| SC | Supreme Court of Appeals | 5 years | 30 | | 10 years state bar |
| Wisconsin | | | | | |
| SC | Supreme Court | 10 days | 10 days | | 5 years state bar |
| IA | Court of Appeals | 10 days | 10 days | | 5 years state bar |
| Wyoming | | | | | |
| SC | Supreme Court | 3 years | 30 | 70 | 9 years state bar |

FOOTNOTES:

Alabama:

¹ The age prohibition of §6.16 is not a qualification for office; it only deals with retirement.

Florida:

² The candidate must be a resident of the district at the time of original appointment.

³ The candidate must reside within the territorial jurisdiction of the court.

Georgia:

⁴ There is a maximum retirement age in order to be eligible for certain benefits.

Indiana:

⁵ Five years of service as a general jurisdiction judge may be substituted.

Kansas:

⁶ A judge may complete the term in which age 70 is attained.

⁷ Relevant legal experience, such as being a member of a law faculty or sitting as a judge, may qualify under the 10-year requirement.

Louisiana:

⁸ Seventy-five is the maximum age for judges who began serving under the old constitution. Judges who attain the age of 70 while serving a term of office are allowed to complete that term.

Michigan:

⁹ A judge must reside within the district.

¹⁰ A judge may serve to age 75. He/she may not begin a term beyond age 70.

Mississippi:

¹¹ A judge must reside within the district.

Missouri:

¹² A judge must be a state voter for nine years.

Table 5. Qualifications to Serve as an Appellate Court Judge

Nevada:

¹³ Effective October 1, 2005 the required legal credentials changed to a minimum of two years state bar member and at least 15 years of legal practice.

New York:

¹⁴ The local residency requirement applies to the Presiding Judge.

¹⁵ A judge may serve up to age 76 if certified for continuing service.

Ohio:

¹⁶ A judge must reside within the district.

Oklahoma:

¹⁷ A judge must be a qualified elector in the district.

¹⁸ Appellate judges must be a member of the state bar and have at least four years experience as a practicing attorney or as a judge of a court of record.

Tennessee:

¹⁹ One justice is selected from each of three divisions and two seats at large; no more than two may be from any grand division.

²⁰ A justice must reside in the grand division served.

Texas:

²¹ A judge must have spent ten years practicing law or served as a lawyer and judge of a court of record for at least 10 years.

Virginia:

²² This applies only to those justices elected or appointed to an original or subsequent term commencing after July 1, 1993.

²³ This applies unless "grandfathered."

Table 6. Selection of Trial Court Judges

Legend: GJ=General jurisdiction court; LJ=Limited jurisdiction court; N/S=Not stated; ~ =Not applicable

| | Trial judges | | | | Presiding judge | |
|------------------------------|-----------------------|-----------------------|-----------------------|--------------------------------|---------------------|-----------------|
| | Method of selection | | Method of retention | Geographic basis for selection | Method of selection | Term (years) |
| | Unexpired term | Full term | | | | |
| Alabama | | | | | | |
| GJ Circuit | GU ¹ | PE | PE | Circuit | CS ² | 3 |
| LJ District | GU ¹ | PE | PE | County | PCJ ³ | 1 |
| LJ Municipal | MU | MU | RA | Municipality | MA | AP |
| LJ Probate | GU | PE | PE | County | ~ | ~ |
| Alaska | | | | | | |
| GJ Superior | GN | GN | RE ⁴ | State ⁵ | SCJ | 1 |
| LG District | GN | GN | RE ⁶ | District | ~ | ~ |
| ~ Magistrate's Division | PJ | PJ | PJ | District | ~ | ~ |
| Arizona | | | | | | |
| GJ Superior | GN or VA ⁷ | GN or NP ⁸ | NP or RE ⁸ | County | SC | 5 |
| LJ Justice of the Peace | CO | PE | PE | Precinct | CS ⁹ | 2 |
| LJ Municipal | CC ¹⁰ | CC ¹⁰ | CC ¹⁰ | Municipality | CS | LD |
| Arkansas | | | | | | |
| GJ Circuit | GU ¹¹ | NP | NP | Circuit | CS | 2 |
| LJ District | GU | NP | NP | District | ~ | ~ |
| LJ City | LD | LD | LD | City | ~ | ~ |
| California | | | | | | |
| GJ Superior | GU | NP | NP ¹² | County | CS | 1 ¹³ |
| Colorado | | | | | | |
| GJ District | GN | GN | RE | District | SCJ | AP |
| GJ Denver Probate | GN | GN | RE | District | SCJ | AP |
| GJ Denver Juvenile | GN | GN | RE | District | SCJ | AP |
| GJ Water | SC ¹⁴ | SC ¹⁴ | RE | District | SCJ | AP |
| LJ County | GN | GN ¹⁵ | RE | County | CS ¹⁶ | AP |
| LJ Municipal | MU | MU | RA | Municipality | ~ | ~ |
| Connecticut | | | | | | |
| GJ Superior | GNL | GNL | GNL | State | CA | AP |
| LJ Probate | PE | PE | PE | District | ~ | ~ |
| Delaware | | | | | | |
| GJ Superior | GNL | GNL | GNL | State | GU | 12 |
| LJ Chancery | GNL | GNL | GNL | State | GU | 12 |
| LJ Justice of the Peace | GNL ¹⁷ | GNL ¹⁷ | GU | County | GU | 4 |
| LJ Family | GNL | GNL | GNL | County | GU | 12 |
| LJ Common Pleas | GNL | GNL | GNL | County | GU | 12 |
| LJ Alderman's | LD | CC | LD | Town | ~ | ~ |
| District of Columbia | | | | | | |
| GJ Superior | 18 | 18 | 18 | State ¹⁹ | SCJ | 4 |
| Florida | | | | | | |
| GJ Circuit | GN | NP | NP | Circuit | CS ²⁰ | 2 |
| LJ County | GN | NP | NP | County | ~ | ~ |
| Georgia | | | | | | |
| GJ Superior | GN | NP | NP | Circuit | CS | LD |
| LJ Juvenile | CS ²¹ | CS ²¹ | CS ²¹ | County/Circuit | SN ²² | LD |
| LJ Civil | GU | PE | PE | County | SN | LD |
| LJ State | GU | NP | NP | County | SN | LD |
| LJ Probate | GU | PE ²³ | PE ²³ | County | ~ | ~ |
| LJ Magistrate | LD | LD ²⁴ | LD ²⁴ | County | Elected | 4 |
| LJ Municipal/of Columbus | MA | Elected | Elected | Municipality | ~ | ~ |
| LJ County Recorder's | LD | LD | LD | County | SN | LD |
| LJ Municipal/City of Atlanta | MU | MU | LD | Municipality | ~ | ~ |
| Hawaii | | | | | | |
| GJ Circuit | GNL | GNL | JN | State | SCJ | AP |
| LJ District | SCJ ²⁵ | SCJ ²⁵ | JN | Circuit | SCJ | AP |
| Idaho | | | | | | |
| GJ District | GN | NP | NP | District | CS ²⁶ | 3 ²⁶ |
| LJ Magistrate's Division | JN ²⁷ | JN ²⁷ | RE | County | ~ | ~ |

Table 6. Selection of Trial Court Judges

Legend: GJ=General jurisdiction court; LJ=Limited jurisdiction court; N/S=Not stated; ~ =Not applicable

| | Trial judges | | | | Presiding judge | |
|-------------------------------|-------------------------|-------------------------|-------------------------|----------------------------------|---------------------|--------------|
| | Method of selection | | Method of retention | Geographic basis for selection | Method of selection | Term (years) |
| | Unexpired term | Full term | | | | |
| Illinois | | | | | | |
| GJ Circuit | SC | PE | RE | Circuit/County ²⁸ | CS | VA |
| ~ Associate Division | SC | PE | RE | Circuit/County ²⁸ | ~ | ~ |
| Indiana | | | | | | |
| GJ Superior | GU | PE ²⁹ | PE ²⁹ | County | VA | VA |
| GJ Circuit | GU | PE ³⁰ | PE ³⁰ | County | VA | VA |
| GJ Probate | GU | PE | PE | County | ~ | ~ |
| LJ County | GU | PE | PE | County | VA | VA |
| LJ City | GU | PE | PE | Municipality | VA | VA |
| LJ Town | GU | PE | PE | Municipality | ~ | ~ |
| LJ Small Claims/Marion County | GU | PE | PE | Township | VA | VA |
| Iowa | | | | | | |
| GJ District | GN ³¹ | GN ³¹ | RE ³¹ | District | SCJ ³² | 2 |
| Kansas | | | | | | |
| GJ District | GN and PE ³³ | GN and PE ³³ | RE and PE ³³ | District | SC | 2 |
| LJ Municipal | MU | MU | MU | City | MU | AP |
| Kentucky | | | | | | |
| GJ Circuit | GN | NP | NP | Circuit | CS ³⁴ | 8 |
| LJ District | GN | NP | NP | District | CS ³⁴ | 4 |
| Louisiana | | | | | | |
| GJ District | SC ³⁵ | PE | PE | District | VA | VA |
| GJ Juvenile & Family | SC ³⁵ | PE | PE | District | VA | VA |
| LJ Justice of the Peace | SC ³⁵ | PE ³⁶ | PE | Ward | ~ | ~ |
| LJ Mayor's | MA | LD | LD | City | ~ | ~ |
| LJ City & Parish | SC ³⁵ | PE | PE | Ward | VA | VA |
| Maine | | | | | | |
| GJ Superior | GL | GL | GL | State | SCJ | AP |
| GJ District | GL | GL | GL | State and District ³⁷ | SCJ | AP |
| LJ Probate | GU | PE | PE | County | ~ | ~ |
| Maryland | | | | | | |
| GJ Circuit | GNL | GNL | NP | County | SN ³⁸ | AP |
| LJ District | GNL | GNL | RA | District | SCJ ³⁹ | AP |
| LJ Orphan's | GU | PE ⁴⁰ | PE ⁴⁰ | County | LD | LD |
| Massachusetts | | | | | | |
| GJ Superior | ~ ⁴¹ | GNE ⁴² | ~ ⁴³ | State | SC ⁴⁴ | 5 |
| LJ District | ~ ⁴¹ | GNE ⁴² | ~ ⁴³ | State | SC ⁴⁴ | 5 |
| LJ Probate & Family | ~ ⁴¹ | GNE ⁴² | ~ ⁴³ | State | SC ⁴⁴ | 5 |
| LJ Juvenile | ~ ⁴¹ | GNE ⁴² | ~ ⁴³ | State | SC ⁴⁴ | 5 |
| LJ Housing | ~ ⁴¹ | GNE ⁴² | ~ ⁴³ | State | SC ⁴⁴ | 5 |
| LJ Boston Municipal | ~ ⁴¹ | GNE ⁴² | ~ ⁴³ | State | SC ⁴⁴ | 5 |
| LJ Land | ~ ⁴¹ | GNE ⁴² | ~ ⁴³ | State | SC ⁴⁴ | 5 |
| Michigan | | | | | | |
| GJ Circuit | GU | NP | NP | Circuit | SC | 2 |
| GJ Claims | GU | NP | NP | Circuit | SC | 2 |
| LJ District | GU | NP | NP | District | SC | 2 |
| LJ Probate | GU | NP | NP | District and Circuit | SC | 2 |
| LJ Municipal | LD | NP | NP | City | SC | 2 |
| Minnesota | | | | | | |
| GJ District | GN | NP | NP | District | CS | 2 |
| Mississippi | | | | | | |
| GJ Circuit | GU | NP | NP | District | SN | DU |
| LJ Chancery | GU | NP | NP | District | SN | DU |
| LJ County | GU | NP | NP | County | ~ | ~ |
| LJ Municipal | LD | LD | LD | Municipality | ~ | ~ |
| LJ Justice | LD | PE | PE | District in County | ~ | ~ |

Table 6. Selection of Trial Court Judges

Legend: GJ=General jurisdiction court; LJ=Limited jurisdiction court; N/S=Not stated; ~ =Not applicable

| | Trial judges | | | | Presiding judge | |
|-----------------------------------|--------------------------|-------------------------|-------------------------|--------------------------------|---------------------|--------------|
| | Method of selection | | Method of retention | Geographic basis for selection | Method of selection | Term (years) |
| | Unexpired term | Full term | | | | |
| Missouri | | | | | | |
| GJ Circuit | GU and GN ⁴⁵ | PE and GN ⁴⁶ | PE and RE ⁴⁷ | Circuit/County | CS | 2 |
| LJ Municipal | LD | LD | LD | City | ~ | ~ |
| Montana | | | | | | |
| GJ District | GN | NP | NP | District | VA | VA |
| GJ Workers' Compensation | GN | GN | RA | State | ~ | ~ |
| GJ Water | SCJ ⁴⁹ | SCJ ⁴⁹ | SCJ ⁵⁰ | State | SCJ ⁴⁹ | 4 |
| LJ Justice of the Peace | CO | NP | NP | County | ~ | ~ |
| LJ Municipal | MU | NP | NP | City | ~ | ~ |
| LJ City | CC | NP | NP | City | ~ | ~ |
| Nebraska | | | | | | |
| GJ District | GN | GN | RE | District | CS | 1 |
| LJ Separate Juvenile | GN | GN | RE | District | CS | 1 |
| LJ County | GN | GN | RE | District | CS | 1 |
| LJ Workers' Compensation | GN | GN | RE | District | CS | 1 |
| Nevada | | | | | | |
| GJ District | GN | NP | NP | District | VA | VA |
| LJ Justice | CO | NP | NP | Township | CS | 1 |
| LJ Municipal | CC | NP | NP | City | VA | VA |
| New Hampshire | | | | | | |
| GJ Superior | GE | GE | ~ ⁵¹ | State | SCJ | To age 70 |
| LJ District | GE | GE | ~ ⁵¹ | District | GE | To age 70 |
| LJ Probate | GE | GE | ~ ⁵¹ | County | ~ | ~ |
| New Jersey | | | | | | |
| GJ Superior | GL | GL | GL | County | SCJ | AP |
| LJ Tax | GL | GL | GL | State | SCJ | AP |
| LJ Municipal | MA or MU ⁵² | MA or MU ⁵² | MU | Municipality | MU | 3 |
| New Mexico | | | | | | |
| GJ District | GN | PE | RE | District | CS | 3 |
| LJ Magistrate | GU | PE | PE | County | CA | VA |
| LJ Metropolitan/Bernalillo County | GN | PE | RE | County | CS | 3 |
| LJ Municipal | MU | PE | PE | City | ~ | ~ |
| LJ Probate | CO | PE | PE | County | ~ | ~ |
| New York | | | | | | |
| GJ Supreme | GL | PE | PE | District | 53 | N/S |
| GJ County | GL | PE | PE | County | 53 | N/S |
| GJ Claims | GNL | GNL | GU | State | 53 | N/S |
| LJ Surrogates' | GNL | PE | PE | County | 53 | N/S |
| LJ Family | GNL and MU ⁵⁴ | PE and MU ⁵⁴ | PE and MU ⁵⁴ | County and NYC | 53 | N/S |
| LJ District | ⁵⁵ | PE | PE | District | 53 | N/S |
| LJ City | Elected | Elected | LD | City | 53 | N/S |
| LJ NYC Civil | MA ⁵⁶ | PE | PE | City | 53 | N/S |
| LJ NYC Criminal | MA | MA | MA | City | 53 | N/S |
| LJ Town & Village Justice | LD | LD | LD | Town or Village | 53 | N/S |
| North Carolina | | | | | | |
| GJ Superior | GU | NP | NP | District | SN | 8 |
| LJ District | GU | NP | NP | District | SCJ | AP |
| North Dakota | | | | | | |
| GJ District | GN | NP | NP | District | CS | 3 |
| LJ Municipal | MA | NP | NP | City | ~ | ~ |
| Ohio | | | | | | |
| GJ Common Pleas | GU | PE ⁵⁷ | PE ⁵⁷ | County | CS | 1 |
| LJ Municipal | GU | PE ⁵⁷ | PE ⁵⁷ | County/City | CS | 1 |
| LJ County | GU | PE ⁵⁷ | PE ⁵⁷ | County | ~ | ~ |
| LJ Claims | SCJ | SCJ | SCJ | ~ | ~ | ~ |
| LJ Mayor's | Elected | PE | PE | City/Village | ~ | ~ |

Table 6. Selection of Trial Court Judges

Legend: GJ=General jurisdiction court; LJ=Limited jurisdiction court; N/S=Not stated; ~ =Not applicable

| | Trial judges | | | | Presiding judge | |
|--------------------------------|---------------------------------------|-------------------------|-------------------------|---------------------------------|---------------------|--------------|
| | Method of selection | | Method of retention | Geographic basis for selection | Method of selection | Term (years) |
| | Unexpired term | Full term | | | | |
| Oklahoma | | | | | | |
| GJ District | GN ⁵⁸ | NP ⁵⁸ | NP ⁵⁸ | District | CS | VA |
| LJ Municipal Not of Record | MM | MM | MM | Municipality | ~ | ~ |
| LJ Municipal of Record | MU | MU | MU | Municipality | MU | VA |
| LJ Workers' Compensation | GN | GN | GN | State | GU | 2 |
| LJ Tax Review | SCJ | SCJ | SCJ | District | ~ | ~ |
| Oregon | | | | | | |
| GJ Circuit | GU | NP | NP | District | SCJ | 2 |
| GJ Tax | GU | NP | NP | State | NP ⁵⁹ | DU |
| LJ County | CO | NP | NP | County | ~ | ~ |
| LJ Justice | GU | NP | NP | County | ~ | ~ |
| LJ Municipal | CC | CC/Elected | CC/Elected | County ⁶⁰ | ~ | ~ |
| Pennsylvania | | | | | | |
| GJ Common Pleas | GL | PE | RE | District | SN ⁶¹ | 5 |
| LJ Philadelphia Municipal | GL | PE | RE | City/County | CS | 5 |
| LJ Magisterial District Judges | GL | PE | PE | District | ~ ⁶² | ~ |
| LJ Philadelphia Traffic | GL | PE | RE | City/County | GU | 5 or AP |
| Puerto Rico | | | | | | |
| GJ First Instance | GL | GL | GL | State | ~ | ~ |
| Rhode Island | | | | | | |
| GJ Superior | GN | GN | ~ ⁶³ | State | GU | Life |
| LJ Workers' Compensation | GN | GN | ~ ⁶³ | State | ~ | ~ |
| LJ District | GN | GN | ~ ⁶³ | State | GU | Life |
| LJ Family | GN | GN | ~ ⁶³ | State | GU | Life |
| LJ Probate | CC | CC or MA | RA | Town | ~ | ~ |
| LJ Municipal | CC | CC or MA | CC or MA | Town | ~ | ~ |
| LJ Traffic Tribunal | GN | GN | ~ ⁶³ | State | ~ | ~ |
| South Carolina | | | | | | |
| GJ Circuit | LA ⁶⁴ and GN ⁶⁵ | LA and GN ⁶⁵ | LA and GL ⁶⁵ | Circuit and State ⁶⁵ | SCJ | 6 months |
| LJ Family | LA | LA | LA | Circuit | SCJ | 6 months |
| LJ Magistrate | GL | GL | GL | County | SCJ | 6 months |
| LJ Probate | GU | PE | PE | County | ~ | ~ |
| LJ Municipal | CC | CC | CC | District | ~ | ~ |
| South Dakota | | | | | | |
| GJ Circuit | GN | NP | NP | Circuit | SCJ ⁶⁶ | AP |
| LJ Magistrate | PJS | PJS | PJS | Circuit | ~ | ~ |
| Tennessee | | | | | | |
| GJ Circuit | GU | PE ⁶⁷ | PE | District | CS | 1 |
| GJ Chancery | GU | PE ⁶⁷ | PE | District | CS | 1 |
| GJ Criminal | GU | PE ⁶⁷ | PE | District | CS | 1 |
| GJ Probate | ⁶⁸ | PE ⁶⁷ | PE | District | ~ | ~ |
| LJ Juvenile | ⁶⁸ | PE ⁶⁷ | PE | County | ~ | ~ |
| LJ Municipal | LD | LD | LD | Municipality | ~ | ~ |
| LJ General Sessions | MU | PE ⁶⁷ | PE | County | LD | LD |
| Texas | | | | | | |
| GJ District | GL | PE | PE | District | VA | 2 |
| LJ Constitutional County | CO | PE | PE | County | ~ | ~ |
| LJ Probate | CO | PE | PE | County | ~ | ~ |
| LJ County at Law | CO | PE | PE | County | VA | 2 |
| LJ Justice of the Peace | CO | PE | PE | Precinct | ~ | ~ |
| LJ Municipal | CC | LD | LD | Municipality | VA | VA |
| Utah | | | | | | |
| GJ District | ⁶⁹ | GNL | RE | District | CS | 2 |
| LJ Justice | MM ⁷⁰ | MM ⁷⁰ | RE and RA ⁷¹ | County/Municipality | ~ | ~ |
| LJ Juvenile | ⁶⁹ | GNL | RE | District | CS | 2 |

Table 6. Selection of Trial Court Judges

Legend: GJ=General jurisdiction court; LJ=Limited jurisdiction court; N/S=Not stated; ~ =Not applicable

| | Trial judges | | | | Presiding judge | |
|----------------------|---------------------|-------------------|---------------------|--------------------------------|---------------------|-----------------|
| | Method of selection | | Method of retention | Geographic basis for selection | Method of selection | Term (years) |
| | Unexpired term | Full term | | | | |
| Vermont | | | | | | |
| GJ Superior | GNL | GNL | LA | State | SC ⁷² | 4 ⁷² |
| GJ District | GNL ⁷³ | GNL ⁷³ | LA ⁷³ | State ⁷³ | ⁷² | ⁷² |
| GJ Family | | | | | ⁷² | ⁷² |
| LJ Probate | GU | PE | PE | District | ~ | ~ |
| LJ Environmental | GNL | GNL | LA | State | ⁷² | ⁷² |
| LJ Judicial Bureau | PJ | PJ | AP | State | ⁷² | ⁷² |
| Virginia | | | | | | |
| GJ Circuit | GU | LA | LA | Circuit | CS | 2 |
| LJ District | CS ⁷⁴ | LA | LA | District | CS | 2 |
| Washington | | | | | | |
| GJ Superior | GU | NP | NP | County | VA | VA |
| LJ District | CO | NP | NP | District | CS | VA |
| LJ Municipal | CC | MA/CC | MA/CC ⁷⁵ | Municipality | CS | 1 |
| West Virginia | | | | | | |
| GJ Circuit | GU | PE | PE | Circuit | CS | AP |
| LJ Magistrate | PJ | PE | PE | County | PJ | AP |
| LJ Municipal | LD | LD | LD | Municipality | ~ | ~ |
| LJ Family | GU | PE | PE | Circuit | ~ | ~ |
| Wisconsin | | | | | | |
| GJ Circuit | GU | NP | NP | District | SC ⁷⁶ | 2 |
| LJ Municipal | MU ⁷⁷ | NP | NP | Municipality | LD ⁷⁸ | LD |
| Wyoming | | | | | | |
| GJ District | GN | GN | RE | District | ~ | ~ |
| LJ Circuit | GN | GN | RE | Circuit | ~ | ~ |
| LJ Municipal | MA | MA | LD | Municipality | ~ | ~ |

ABBREVIATIONS:

AP = At pleasure
 CA = Court administrator appointment
 CC = City or town council/commission appointment
 CO = County board/commission appointment
 CS = Court selection
 DU = Duration of service
 GE = Gubernatorial appointment with approval of elected executive council
 GL = Gubernatorial appointment with consent of the legislature
 GN = Gubernatorial appointment from judicial nominating commission
 GNE = Gubernatorial appointment from judicial nominating commission with approval of elected executive council
 GNL = Gubernatorial appointment from judicial nominating commission with consent of the legislature
 GU = Gubernatorial appointment
 JN = Judicial nominating commission appoints
 LA = Legislative appointment

LD = Locally determined
 MA = Mayoral appointment
 MC = Mayoral appointment with consent of city council
 MM = Mayoral appointment with consent of governing municipal body
 MU = Governing municipal body appointment
 NP = Non-partisan election
 PE = Partisan election
 PJ = Presiding judge of the general jurisdiction court appoints
 PJS = Presiding judge of the general jurisdiction court appoints with approval of the court of last resort
 RA = Reappointment
 RE = Retention election
 SC = Court of last resort appoints
 SCJ = Chief justice/judge of the court of last resort appoints
 SN = Seniority
 VA = Varies

FOOTNOTES:

Alabama:

¹ The counties of Baldwin, Jefferson, Madison, Mobile, and Tuscaloosa use gubernatorial appointment from the recommendations of the Judicial Nominating Commission.
² If a court cannot agree, the Supreme Court decides.
³ The Presiding Circuit Judge appoints with the advice and consent of the majority of the Circuit Court judges.

Alaska:

⁴ A judge must run for retention at the next election immediately following the third year from the time of the initial appointment.
⁵ Judges are selected on a statewide basis, but run for retention on a district-wide basis.

⁶ Judges must run for retention at the first general election held more than one year after appointment.

Arizona:

⁷ Maricopa and Pima counties use the gubernatorial appointment from the Judicial Nominating Commission process. The method for submitting names for the other 13 counties varies.
⁸ Maricopa and Pima counties use the gubernatorial appointment from the Judicial Nominating Commission process. The other 13 counties hold non-partisan elections.
⁹ There is one justice of the peace per precinct. In Maricopa County the presiding judge of the Superior Court presides over and administers the Justice Court. In the remaining counties having four or more justices of the peace, a presiding justice of the peace is chosen by a vote of the justices of the peace in

Table 6. Selection of Trial Court Judges

that county, with the advice and consent of the presiding judge of the Superior Court of that county.

¹⁰ Municipal court judges are usually appointed by the city or town council except in Yuma, where judges are elected.

Arkansas:

¹¹ The office can be held until December 31 following the next general election and then the judge must run in a non-partisan election for the remainder of the term.

California:

¹² If unopposed for reelection, incumbent's name does not appear on the ballot unless a petition was filed not less than 83 days before the election date indicating that a write-in campaign will be conducted for the office. An unopposed incumbent is not declared elected until the election date. This is for the general election; different timing may apply for the primary election (see Elec. Code §8203).

¹³ The term is not less than one year.

Colorado:

¹⁴ Judges are chosen by the Supreme Court from among District Court judges.

¹⁵ The mayor appoints Denver County Court judges.

¹⁶ District Court judges appoint the presiding judge of the County Court.

Delaware:

¹⁷ The Magistrate Screening Commission recommends candidates.

District of Columbia:

¹⁸ The Judicial Nomination Commission nominates for Presidential appointment and Senate confirmation. Not less than six months prior to the expiration of the term of office, the judge's performance is reviewed by the Commission on Judicial Disabilities and Tenure. A judge found "well qualified" is automatically reappointed for a new term of 15 years; a judge found "qualified" may be renominated by the President (and subject to Senate confirmation). A judge found "unqualified" is ineligible for reappointment or if the President does not wish to reappoint a judge, the Nomination Commission compiles a new list of candidates.

¹⁹ The geographic basis for selection is the District of Columbia.

Florida:

²⁰ Circuit and County Court judges select the presiding judge.

Georgia:

²¹ Juvenile Court judges are appointed by Superior Court judges in all but one county, in which juvenile judges are elected. Associate judges (formerly referees) must be a member of the state bar or law school graduates. They serve at the pleasure of the judge(s).

²² Most Juvenile Courts have only one judge, therefore no presiding judge.

²³ Probate judges are selected in non-partisan elections in 66 of 159 counties.

²⁴ Magistrate judges are selected in nonpartisan elections in 41 of 159 counties.

Hawaii:

²⁵ Selection occurs by means of Chief Justice appointment from the Judicial Nominating Commission with consent of the Senate.

Idaho:

²⁶ The Supreme Court appoints the administrative judge for up to three years if the District Court judges are unable to elect one.

²⁷ The Magistrate Commission consists of the administrative judge, three mayors and two electors appointed by the governor, and two attorneys (nominated by the district bar and appointed by the state bar). There is one commission in each district.

Illinois:

²⁸ Cook County Circuit Court identifies local units within the county.

Indiana:

²⁹ Non-partisan elections are used in the Superior Courts in Allen and Vanderburgh counties. Nominating commissions are used in St. Joseph County and in some courts in Lake County. In those courts that use the nominating commission process for selection; retention elections are used as the method of retention.

³⁰ Non-partisan elections are used in the Circuit Courts in Vanderburgh County.

Iowa:

³¹ This applies to district judges only. Associate judges are selected by the district judges and retention is by a retention election. Magistrates are selected and retained by appointment from the County Judicial Magistrate Nominating Commission. The County Judicial Magistrate Nominating Commission consists of three members appointed by the county board and two elected by the county bar, presided over by a District Court judge.

³² The Chief Justice appoints with approval of the Supreme Court.

Kansas:

³³ Seventeen districts use gubernatorial appointment from the Judicial Nominating Commission for selection and retention elections for retention. Fourteen districts use partisan elections for selection and retention.

Kentucky:

³⁴ In addition, there are 16 chief regional judges (eight circuit, eight district) selected by the Chief Justice of the Supreme Court for regional administration of cases.

Louisiana:

³⁵ Depending on the amount of time remaining, selection may be by election following a Supreme Court appointment.

³⁶ Louisiana uses a blanket primary in which all candidates appear with party labels on the primary ballot. The top two vote getters compete in the general election.

Maine:

³⁷ At least one judge who is a resident of the county in which the district lies must be appointed from each of the 13 districts.

Maryland:

³⁸ In addition to the chief judge, there are circuit and county administrative judges. The administrative judges are appointed by the Chief Judge of the Court of Appeals. Presiding judges for trial are assigned by the county administrative judges.

³⁹ Administrative judges are appointed by the Chief Judge of the District Court with the approval of the Chief Judge of the Court of Appeals.

⁴⁰ Two exceptions are Hartford and Montgomery counties where Circuit Court judges are assigned.

Massachusetts:

⁴¹ There are no expired judicial terms. A judicial term expires upon the death, resignation, retirement, or removal of an incumbent.

⁴² The Executive (Governor's) Council is made up of eight people elected by geographical area and presided over by the lieutenant governor.

⁴³ There is no retention process. Judges serve during good behavior to age 70.

⁴⁴ The administrative head of the trial court is the "Chief Justice for Administration and Management." Each department has a Chief Justice appointed by the "CJAM" to a five-year term.

Missouri:

⁴⁵ Gubernatorial appointment occurs in 40 partisan circuits; gubernatorial appointment from Judicial Nominating Commission takes place in five non-partisan circuits.

⁴⁶ Partisan elections occur in 40 circuits; gubernatorial appointment from the Judicial Nominating Commission with a non-partisan election takes place in five circuits.

⁴⁷ Partisan elections take place in 40 circuits; retention elections occur in five metropolitan circuits.

⁴⁸ Associate circuit judges are selected on a county basis.

Montana:

⁴⁹ Selection occurs through Chief Justice appointment from Judicial Nominating Commission.

⁵⁰ Other judges are designated by the District Court judges.

New Hampshire:

⁵¹ There is no retention process. Judges serve during good behavior to age 70.

New Jersey:

⁵² In multi-municipality, joint, or countywide municipal courts, selection is by gubernatorial appointment with consent of the Senate.

New York:

⁵³ District administrative judges for the trial courts outside of New York City are selected by the Chief Administrative Judge in consultation with the Deputy Chief Administrative Judge for the courts outside of New York City and the presiding judge of the appropriate appellate division. The method of selection for administrative judges for the courts within New York City is not stated.

⁵⁴ Mayoral appointment occurs in New York City.

⁵⁵ The appointment is made by the County Chief Executive Officer with confirmation by District Board of Supervisors.

⁵⁶ Housing judges are appointed by the Chief Administrator of the courts.

Ohio:

⁵⁷ Party affiliation is not included on the ballot in the general election, but candidates are chosen through partisan primary nominations.

Oklahoma:

⁵⁸ This applies to district and associate judges; special judges are selected by the district judges.

Table 6. Selection of Trial Court Judges

Oregon:

⁵⁹ There is one Tax Court judge that is elected for a full term or appointed by the governor for an unexpired term.

⁶⁰ The geographic basis for selection is the municipality for those judges that are elected. Judges that are either appointed or are under contract may be from other cities.

Pennsylvania:

⁶¹ The presiding judge is selected by the court if there are eight or more judges.

⁶² Supervisory authority is retained by the President Judge of the respective judicial district pursuant to Rule 17 of the Rules Governing Standards of Conduct of Magisterial District Judges.

Rhode Island:

⁶³ There is no retention process. Judges serve during good behavior for a life tenure.

South Carolina:

⁶⁴ The governor may appoint a candidate if the unexpired term is less than one year.

⁶⁵ In addition to Circuit Court judges, the Circuit Court has masters-in-equity whose jurisdiction is in matters referred to them in the Circuit Court. Masters-in-equity are selected by gubernatorial appointment from the Judicial Merit Selection Commission, retained by gubernatorial appointment with the consent of the Senate, and the geographic basis for selection is the state.

South Dakota:

⁶⁶ The Circuit Court presiding judge serves the entire court, including the Magistrate Division.

Tennessee:

⁶⁷ Each county legislative body has the discretion to require elections to be non-partisan.

⁶⁸ The selection method used to fill an unexpired term is established by a special legislative act.

Utah:

⁶⁹ There are no expired terms; each new judge begins a new term.

⁷⁰ Appointment is by the local government executive with confirmation by the local government legislative body (may be either county or municipal government).

⁷¹ County judges are retained by retention election; municipal judges are reappointed by the city executive.

Vermont:

⁷² There is one presiding judge for all trial courts.

⁷³ Superior and District Court judges serve as Family Court judges.

Virginia:

⁷⁴ Circuit Court judges appoint.

Washington:

⁷⁵ Full-time municipal judges must stand for non-partisan election.

Wisconsin:

⁷⁶ The Chief Judge of a district can appoint a presiding judge in each multi-judge circuit.

⁷⁷ A permanent vacancy in the office of municipal judge may be filled by temporary appointment of the municipal governing body or jointly by the governing bodies of all municipalities served by the judge.

⁷⁸ There is only one multi-judge Municipal Court.

Table 7. Qualifications to Serve as a Trial Court Judge

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; LD=Locally determined; VA=Varies; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | | Residency (years) | | Age | | Legal credentials | |
|-----------------------------|---------------------------|-------------------|----------------------|------------------|-----------------|-------------------|---|
| | | Local | State | Minimum | Maximum | Law degree | Other |
| Alabama | | | | | | | |
| GJ | Circuit | 1 | 1 | | 70 ¹ | ■ | Licensed attorney |
| LJ | District | 1 | 1 | | 70 | ■ | Licensed attorney |
| LJ | Municipal | 1 | 1 | 18 | 70 | ■ ₂ | Licensed attorney |
| LJ | Probate | 1 ² | Citizen ² | | 70 | | |
| Alaska | | | | | | | |
| GJ | Superior | | 5 | | 70 | ■ | 5 yrs practice |
| LG | District | | 5 | 21 | 70 | ■ | 3 yrs practice or 7 yrs as a magistrate |
| ~ | Magistrate's Division | | 6 mos | 21 | | | |
| Arizona | | | | | | | |
| GJ | Superior | 1 | 5 | 30 | 70 | ■ | Admitted to practice law in AZ for 5 yrs |
| LJ | Justice of the Peace | ■ | ■ | 18 | 70 | | |
| LJ | Municipal | VA | VA | VA | VA | VA | VA |
| Arkansas | | | | | | | |
| GJ | Circuit | ■ | ■ | | | ■ | 6 yrs licensed in state |
| LJ | District | ■ | ■ | | | ■ | 4 yrs licensed in state |
| LJ | City | ■ | ■ | | | | |
| California | | | | | | | |
| GJ | Superior | | | | | ■ | 10 yrs state bar |
| Colorado | | | | | | | |
| GJ | District | ■ | ■ | | 72 | ■ | 5 yrs state bar |
| GJ | Denver Probate | ■ | ■ | | 72 | ■ | 5 yrs state bar |
| GJ | Denver Juvenile | ■ | ■ | | 72 | ■ | 5 yrs state bar |
| GJ | Water | ■ | ■ | | 72 | ■ ₃ | 5 yrs state bar |
| LJ | County | ■ | ■ | | 72 | | |
| LJ | Municipal | | | | 72 | | |
| Connecticut | | | | | | | |
| GJ | Superior | | ■ | | 70 | ■ | Member of the bar |
| LJ | Probate | ■ ⁴ | ■ | 18 | 70 | | |
| Delaware | | | | | | | |
| GJ | Superior | ■ | ■ | | | ■ | "Learned in Law" |
| LJ | Chancery | | ■ | | | ■ | "Leaned in Law" |
| LJ | Justice of the Peace | ■ | ■ | | | | |
| LJ | Family | ■ | 5 | | | ■ | 5 yrs state bar |
| LJ | Common Pleas | ■ | ■ | | | ■ ₅ | 5 yrs state bar |
| LJ | Alderman's | | | | | | |
| District of Columbia | | | | | | | |
| GJ | Superior | 90 days | ■ | | 74 | ■ | 5 yrs state bar ⁶ |
| Florida | | | | | | | |
| GJ | Circuit | ■ ₇ | ■ | | 70 | ■ | 5 yrs state bar |
| LJ | County | ■ ₇ | ■ | | 70 | ■ | 5 yrs state bar |
| Georgia | | | | | | | |
| GJ | Superior | | 3 | 30 | ⁸ | ■ | 7 yrs state bar |
| LJ | Juvenile | | 3 | 30 | | ■ | 5 yrs state bar |
| LJ | Civil | VA | VA | VA | | ■ | VA |
| LJ | State | ■ | 3 | 25 | ⁹ | ■ | 5 yrs state bar |
| LJ | Probate | 2 | ■ | 25 ¹⁰ | | ■ | 7 yrs practice if pop. more than 96,000 ¹¹ |
| LJ | Magistrate | 1 | ■ | 25 | | ■ | LD ¹¹ |
| LJ | Municipal/of Columbus | ■ | ■ | 25 | | ■ | 5 yrs state bar |
| LJ | County Recorder's | VA | ■ | VA | | ■ | VA |
| LJ | Municipal/City of Atlanta | VA | VA | VA | VA | ■ | VA |
| Hawaii | | | | | | | |
| GJ | Circuit | | ■ | | 70 | ■ | 10 yrs state bar |
| LJ | District | | ■ | | 70 | ■ | 5 yrs state bar |

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Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; LD=Locally determined; VA=Varies; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | | Residency (years) | | Age | | Legal credentials | |
|----------------------|----------------------------|-------------------|-------|---------|------------------|-------------------|-------------------------------------|
| | | Local | State | Minimum | Maximum | Law degree | Other |
| Idaho | | | | | | | |
| GJ | District | | 1 | 30 | | ■ | 10 yrs state bar |
| LJ | Magistrate's Division | | ■ | 30 | | ■ | 5 yrs state bar |
| Illinois | | | | | | | |
| GJ | Circuit | ■ | ■ | | 75 | ■ | |
| Indiana | | | | | | | |
| GJ | Superior and Circuit | ■ | 1 | | | ■ | |
| GJ | Probate | ■ | 1 | | | ■ | |
| LJ | County | ■ | 1 | | | ■ | |
| LJ | City and Town | ■ | ■ | | | | |
| LJ | Small Claims/Marion County | ■ | ■ | | | ■ ¹² | |
| Iowa | | | | | | | |
| GJ | District | ■ | ■ | 13 | 72 | ■ | Admitted to state bar ¹⁴ |
| Kansas | | | | | | | |
| GJ | District | ■ | ■ | | 75 ¹⁵ | ■ ¹⁶ | 5 yrs state bar |
| LJ | Municipal | | | 18 | | VA ¹⁷ | VA ¹⁷ |
| Kentucky | | | | | | | |
| GJ | Circuit | 2 | 2 | | | ■ | 8 yrs state bar |
| LJ | District | 2 | 2 | | | ■ | 2 yrs state bar |
| Louisiana | | | | | | | |
| GJ | District | 2 | 2 | | 70 ¹⁸ | ■ | 5 yrs state bar |
| GJ | Juvenile & Family | 2 | 2 | | 70 ¹⁸ | ■ | 5 yrs state bar |
| LJ | Justice of the Peace | ■ | ■ | | 70 ¹⁸ | | |
| LJ | Mayor's | | | | | | |
| LJ | City & Parish | 2 | 2 | | 70 ¹⁸ | ■ | 5 yrs state bar |
| Maine | | | | | | | |
| GJ | Superior | | | | | | "Learned in the Law" |
| GJ | District | | ■ | | | ■ | State bar member |
| LJ | Probate | | ■ | | | ■ | State bar member |
| Maryland | | | | | | | |
| GJ | Circuit | 6 mos | 5 | 30 | 70 | ■ | State bar member |
| LJ | District | 6 mos | 5 | 30 | 70 | ■ | State bar member |
| LJ | Orphan's | 1 | ■ | | | | |
| Massachusetts | | | | | | | |
| GJ | Superior | | | | 70 | | |
| LJ | District | | | | 70 | | |
| LJ | Probate & Family | | | | 70 | | |
| LJ | Juvenile | | | | 70 | | |
| LJ | Housing | | | | 70 | | |
| LJ | Boston Municipal | | | | 70 | | |
| LJ | Land | | | | 70 | | |
| Michigan | | | | | | | |
| GJ | Circuit | Circuit | ■ | | 19 | ■ | State bar member |
| GJ | Claims | Circuit | ■ | | 19 | ■ | State bar member |
| LJ | District | District | ■ | | 19 | ■ | State bar member |
| LJ | Probate | County(ies) | ■ | | 19 | ■ | State bar member |
| LJ | Municipal | ■ | ■ | | 19 | ■ | State bar member |
| Minnesota | | | | | | | |
| GJ | District | | | | 70 | ■ | Licensed attorney |
| Mississippi | | | | | | | |
| GJ | Circuit | | 5 | 26 | | ■ | 5 yrs in practice |
| LJ | Chancery | | 5 | 26 | | ■ | 5 yrs in practice |
| LJ | County | ■ | 5 | 26 | | ■ | 5 yrs in practice |
| LJ | Municipal | ■ | ■ | | | ■ ²⁰ | |
| LJ | Justice | ■ | ■ | 18 | | ■ | |

Table 7. Qualifications to Serve as a Trial Court Judge

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; LD=Locally determined; VA=Varies; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | | Residency (years) | | Age | | Legal credentials | |
|-----------------------|--------------------------------|-----------------------|-----------------|------------------|------------------|-------------------|---|
| | | Local | State | Minimum | Maximum | Law degree | Other |
| Missouri | | | | | | | |
| GJ | Circuit | Circuit ²¹ | 3 ²¹ | 30 ²¹ | 70 | ■ | State bar member |
| LJ | Municipal | LD | ■ | 21 | 75 | VA | State bar member if pop. of 7,500 or more ²² |
| Montana | | | | | | | |
| GJ | District | | 2 | | | ■ | 5 yrs state bar |
| GJ | Workers' Compensation | | | | | ■ | |
| GJ | Water | | 2 | | | ■ | 5 yrs state bar |
| LJ | Justice of the Peace | 1 | ■ | | | ²³ | ²³ |
| LJ | Municipal | ■ | ■ | | | ■ | 2 yrs state bar |
| LJ | City | County | ■ | | | | |
| Nebraska | | | | | | | |
| GJ | District | ■ | ■ | 30 | | ■ | 5 yrs practice |
| LJ | Separate Juvenile | ■ | ■ | 30 | | ■ | 5 yrs practice |
| LJ | County | ■ | ■ | 30 | | ■ | 5 yrs practice |
| LJ | Workers' Compensation | ■ | ■ | 30 | | ■ | 5 yrs practice |
| Nevada | | | | | | | |
| GJ | District | | 2 | 25 | | ■ | State bar member ²⁴ |
| LJ | Justice | 30 days | 6 mos | | | VA | VA ²⁵ |
| LJ | Municipal | VA | VA | | | VA | VA |
| New Hampshire | | | | | | | |
| GJ | Superior | | | | 70 | | |
| LJ | District | | | | 70 | ■ | State bar member |
| LJ | Probate | | | | 70 | | |
| New Jersey | | | | | | | |
| GJ | Superior | ²⁶ | ²⁶ | | 70 | ■ | 10 yrs practice law |
| LJ | Tax | | | | 70 | ■ | 10 yrs practice law |
| LJ | Municipal | | ■ | | | ■ | 5 yrs practice law |
| New Mexico | | | | | | | |
| GJ | District | ■ | 3 | 35 | | ■ | 6 yrs active practice |
| LJ | Magistrate | ■ | ■ | 18 | | | |
| LJ | Metropolitan/Bernalillo County | ■ | 3 | | | ■ | 3 yrs active practice and state bar member |
| LJ | Municipal | ■ | ■ | 18 | | | |
| LJ | Probate | ■ | ■ | 18 | | | |
| New York | | | | | | | |
| GJ | Supreme | | ■ | 18 | 70 ²⁷ | ■ | 10 yrs state bar |
| GJ | County | County | ■ | 18 | 70 | ■ | 5 yrs state bar |
| GJ | Claims | | ■ | 18 | 70 | ■ | 10 yrs state bar |
| LJ | Surrogates' | County | ■ | 18 | 70 | ■ | 10 yrs state bar |
| LJ | Family | ■ | ■ | 18 | 70 | ■ | 10 yrs state bar |
| LJ | District | ■ | ■ | 18 | 70 | ■ | 5 yrs state bar |
| LJ | City | ■ | ■ | 18 | 70 | ■ | 5 yrs state bar |
| LJ | NYC Civil | ■ | ■ | 18 | 70 | ■ | 10 yrs state bar |
| LJ | NYC Criminal | ■ | ■ | 18 | 70 | ■ | 10 yrs state bar |
| LJ | Town & Village Justice | ■ | ■ | 18 | | ■ | |
| North Carolina | | | | | | | |
| GJ | Superior | ²⁸ | ■ | | 72 | ²⁹ | State bar member |
| LJ | District | ■ | ■ | | 72 | ²⁹ | State bar member |
| North Dakota | | | | | | | |
| GJ | District | ■ | ■ | | | ■ | State bar member |
| LJ | Municipal | ■ | ■ | | | ³⁰ | ³⁰ |
| Ohio | | | | | | | |
| GJ | Common Pleas | County | ■ | | 70 | ■ | 6 yrs practice |
| LJ | Municipal | Territorial | ■ | | 70 | ■ | 6 yrs practice |
| LJ | County | Territorial | ■ | | 70 | ■ | 6 yrs practice |
| LJ | Claims | | ■ | | | ■ | Incumbent or retired appellate or GJ judge |
| LJ | Mayor's | | ■ | | | | |

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Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; LD=Locally determined; VA=Varies; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | | Residency (years) | | Age | | Legal credentials | |
|-----------------------|-----------------------------|------------------------|---------------------|---------|------------------|-------------------|--|
| | | Local | State | Minimum | Maximum | Law degree | Other |
| Oklahoma | | | | | | | |
| GJ | District | District ³¹ | 6 mos ³¹ | | | ■ ³¹ | 4 yrs state bar or court of record judge ³¹ |
| LJ | Municipal Not of Record | | ■ | | | ■ | |
| LJ | Municipal of Record | | ■ | | | | 2 yrs state bar or court of record judge |
| LJ | Workers' Compensation | | | | | ■ | |
| LJ | Tax Review | | | | | ■ | |
| Oregon | | | | | | | |
| GJ | Circuit | 1 | 3 | | 75 | ■ | State bar member |
| GJ | Tax | | 3 | | 75 | ■ | 3 yrs state bar |
| LJ | County | | | | 75 | | |
| LJ | Justice | 1 | 3 | | 75 | | |
| LJ | Municipal | | | | 75 | | |
| Pennsylvania | | | | | | | |
| GJ | Common Pleas | 1 | ■ | | 70 | ■ | State bar member |
| LJ | Philadelphia Municipal | 1 | ■ | | 70 | ■ | State bar member |
| LJ | Magisterial District Judges | 1 | ■ | | 70 | | State bar member or pass certifying exam |
| LJ | Philadelphia Traffic | 1 | ■ | | 70 | | State bar member or pass certifying exam |
| Puerto Rico | | | | | | | |
| GJ | First Instance | | | | 70 | ■ | 7 yrs state bar (3 yrs if Municipal Div. judge) |
| Rhode Island | | | | | | | |
| GJ | Superior | | | | | ■ | State bar member |
| LJ | Workers' Compensation | | | | | ■ | State bar member |
| LJ | District | | | | | ■ | State bar member |
| LJ | Family | | | | | ■ | State bar member |
| LJ | Probate | | | | | ■ | State bar member |
| LJ | Municipal | | | | | ■ | State bar member |
| LJ | Traffic Tribunal | | | | | ■ | State bar member |
| South Carolina | | | | | | | |
| GJ | Circuit | ³² | 5 | 32 | 72 ³³ | ■ | 8 yrs state bar |
| LJ | Family | Circuit | 5 | 32 | 72 | ■ | 8 yrs state bar |
| LJ | Magistrate | | 5 | 21 | 72 | | |
| LJ | Probate | ³⁴ | Citizen | 21 | | | |
| LJ | Municipal | | | | | | |
| South Dakota | | | | | | | |
| GJ | Circuit | ■ | ■ | | 70 | ■ | State bar member |
| LJ | Magistrate | ■ | ■ | | | ■ ³⁵ | State bar member ³⁵ |
| Tennessee | | | | | | | |
| GJ | Circuit | 1 | 5 | 30 | | ■ | Qualified to practice law |
| GJ | Chancery | 1 | 5 | 30 | | ■ | Qualified to practice law |
| GJ | Criminal | 1 | 5 | 30 | | ■ | Qualified to practice law |
| GJ | Probate | 1 | 5 | 30 | | ■ | Qualified to practice law |
| LJ | Juvenile | 1 | 5 | 30 | | ■ | Qualified to practice law ³⁶ |
| LJ | Municipal | 1 | 5 | 30 | | VA | VA |
| LJ | General Sessions | 1 | 5 | 30 | | ■ | Qualified to practice law ³⁶ |
| Texas | | | | | | | |
| GJ | District | 2 | | 25 | 74 | ■ | 4 yrs practice in state or a judge in state |
| LJ | Constitutional County | | | | | | |
| LJ | Probate | 2 | | 25 | | ■ | 4 yrs practice in state or a judge in state |
| LJ | County at Law | 2 | | 25 | | ■ | 4 yrs practice in state or a judge in state |
| LJ | Justice of the Peace | | | | | | VA |
| LJ | Municipal | VA | | VA | VA | VA | |
| Utah | | | | | | | |
| GJ | District | ■ | 3 | 25 | 75 | ■ | Admitted to practice law |
| LJ | Justice | 6 mos | 3 | 25 | 75 | | |
| LJ | Juvenile | ■ | 3 | 25 | 75 | ■ | Admitted to practice law |

Table 7. Qualifications to Serve as a Trial Court Judge

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; LD=Locally determined; VA=Varies; ■=Yes (length of residency not specified)

Note: Blank spaces indicate that the statute does not specify qualifications.

| | | Residency (years) | | Age | | Legal credentials | |
|----------------------|-----------------|-------------------|---------|---------|---------|-------------------|------------------|
| | | Local | State | Minimum | Maximum | Law degree | Other |
| Vermont | | | | | | | |
| GJ | Superior | | | | 90 | ■ ³⁷ | 5 yrs state bar |
| GJ | District | 38 | 38 | 38 | 90 | ■ ³⁸ | 5 yrs state bar |
| GJ | Family | | | | | | |
| LJ | Probate | | | | 90 | | |
| LJ | Environmental | | | | 90 | ■ | 5 yrs state bar |
| LJ | Judicial Bureau | District | ■ | | | ■ | State bar |
| Virginia | | | | | | | |
| GJ | Circuit | ■ | ■ | | 70 | ■ ³⁹ | 5 yrs state bar |
| LJ | District | ■ | ■ | | 70 | ■ ³⁹ | 5 yrs state bar |
| Washington | | | | | | | |
| GJ | Superior | 1 | 1 | | 75 | ■ | State bar member |
| LJ | District | 1 | 1 | | 75 | ■ | |
| LJ | Municipal | County | | | | ■ | |
| West Virginia | | | | | | | |
| GJ | Circuit | ■ | ■ | 30 | | ■ ⁴⁰ | 5 yrs state bar |
| LJ | Magistrate | ■ | ■ | 21 | | | |
| LJ | Municipal | | ■ | | | | |
| LJ | Family | Circuit | ■ | | | ■ | 5 yrs state bar |
| Wisconsin | | | | | | | |
| GJ | Circuit | 10 days | 10 days | | | ■ | 5 yrs state bar |
| LJ | Municipal | 10 days | 10 days | | | LD | LD |
| Wyoming | | | | | | | |
| GJ | District | | 2 | 28 | 70 | ■ | |
| LJ | Circuit | | | | | ■ | |
| LJ | Municipal | | | | | | |

FOOTNOTES:

Alabama:
¹ The age prohibition of § 6.16 is not a qualification for office; it refers to the retirement age.
² One of the probate judgeships in Jefferson County requires that the judge be a resident of the county for one year, a minimum of 25 years of age, and learned in the law.

Colorado
³ A law degree is required for County Court judges in metropolitan areas.

Connecticut
⁴ Probate Court judges must be electors of a town within the district.

Delaware
⁵ In the city of Newark, aldermen are required to have a law degree.

District of Columbia
⁶ Superior Court judges must also be an active member of the unified District of Columbia bar and, during the five years immediately preceding the judicial nomination, have been engaged in the active practice of law in the District, been on the faculty of a law school in the District, or been employed as an attorney by either the United States or District of Columbia government.

Florida
⁷ Circuit and County Court judges must reside within the territorial jurisdiction of the court.

Georgia:
⁸ There is no maximum age stated for judges of the Superior Court; however, judges who are members of the 1976 retirement plan and serve beyond age 75 may not be eligible for retirement benefits.
⁹ There is no maximum age stated for judges of the State Court; however, benefits are forfeited for judges who are members of the Trial Judges Retirement Plan after 1/1/80 and serve beyond age 70.

¹⁰ The minimum age requirement for probate judges is 25. If law practice is required, the minimum age is 30.
¹¹ Probate and Magistrate Court judges must have a high school diploma or equivalent.

Indiana:
¹² A law degree is required for judges of the Small Claims Court of Marion County unless a non-attorney judge has been grandfathered in.

Iowa:
¹³ There is no minimum age stated for district or associate judges, but magistrates must be 18 years of age.
¹⁴ This applies to district judges. For magistrates there is a preference for "law trained" applicants.

Kansas:
¹⁵ Judges may complete the term in which they attain age 75.
¹⁶ A law degree is required for 161 out of the 239 District Court judgeships. The remaining 78 judgeships are district magistrate judges, not required to have a law degree, but must be certified by the Supreme Court if not an attorney.
¹⁷ Municipal courts in first class cities (24) require admission to practice law in Kansas; other municipal judges and district magistrate judges are required to be certified as qualified to serve by the Supreme Court, if not admitted to practice law in Kansas.

Louisiana:
¹⁸ Seventy-five is the maximum age for judges who began serving under the old constitution. Judges who attain the age of 70 while serving a term of office are allowed to complete that term.

Michigan:
¹⁹ Judges may not serve beyond age 75 nor begin a term beyond age 70.

Mississippi:
²⁰ This applies for cities with a population over 10,000.

Table 7. Qualifications to Serve as a Trial Court Judge

Missouri:

²¹ This applies to circuit judges (state residency requires state votes for three years and resident of the circuit for one year). Associate judges must be county and state residents, and the minimum age for an associate judge is 25.

²² If not an attorney, Municipal Court judges must complete a course prescribed by the Supreme Court.

Montana:

²³ Although a law degree is not required for justices of the peace, the judges may be attorneys, must have served in a judicial capacity for at least five years, and must have passed the certification exam (the requirement of passing the certification exam may be waived by the Supreme Court).

Nevada:

²⁴ Effective October 1, 2005 the required legal credentials changed to a minimum of two years state bar member and 10 years practice.

²⁵ Effective October 1, 2005 the required legal credentials changed to a minimum of state bar membership and five years practice.

New Jersey:

²⁶ Out of a total of 441 authorized judgeships, there are 283 restricted Superior Court judgeships that require residence within the particular county of assignment at the time of appointment and reappointment; there are 158 unrestricted judgeships for which the Chief Justice makes the assignment of county.

New York:

²⁷ The maximum age of 70 (for Supreme Court judges) may be extended up to three intervals of two years each.

North Carolina:

²⁸ Resident judges of the Superior Court are required to have local residency, but special judges are not.

²⁹ A law degree is not required for judges elected prior to January 1, 1981.

North Dakota:

³⁰ A law degree and state bar membership is required for Municipal Court judges in cities with a population of over 5,000.

Oklahoma:

³¹ District and associate judges must be state residents for six months if elected, and associate judges must be county residents. Special judges must be state residents, but no local residency requirement is stated. Associate judges must have a law degree and must be a state bar member for two years or be a judge of a court of record. Special judges are not required to have a law degree and no additional legal credentials are stated.

South Carolina:

³² Circuit judges must be county electors and residents of the circuit, but no local residency requirement is stated for Masters-In-Equity.

³³ There is no maximum age stated for Masters-In-Equity.

³⁴ Probate Court judges must be county electors.

South Dakota:

³⁵ This applies to law magistrates. Clerk magistrates are not required to have a law degree, but must be a high school graduate or have a GED.

Tennessee:

³⁶ The requirement of the Juvenile and General Sessions Court that judges be qualified to practice law does have grandfathering provisions.

Vermont:

³⁷ This is required only for Superior Court judges, not for assistant judges.

³⁸ Superior Court judges, District Court judges, and assistant judges are assigned to serve as family court judges; the qualifications are the same. Qualifications for Family Court magistrates were not provided.

Virginia:

³⁹ Circuit and District Courts judges must have a law degree or must have completed an approved three-year course of study under the supervision of a practicing attorney.

West Virginia:

⁴⁰ All magistrates shall have a high school education and must take a course in rudimentary principles of law before assuming duties.

Table 8. Judicial Nominating Commissions

Legend: I=Interim; F=Full; R=Retention

Note: Only those States with Judicial Nominating Commissions are included in this table

| State/Name of commission | Offices encompassed | Authorization | Year created (year revised) | Terms covered |
|--|--|-------------------|--------------------------------|------------------|
| Alabama | | | | |
| Judicial Commission | Baldwin County Circuit and District Court | Constitutional | 1999 | I |
| | Jefferson County Circuit Court | Constitutional | 1950 | I |
| | Madison County Circuit and District Court | Constitutional | 1974 (1996) | I |
| | Mobile County Circuit and District Court | Constitutional | 1982 | I |
| | Talladega County Circuit and District Court | Constitutional | 1996 | I |
| | Tuscaloosa County Circuit and District Court | Constitutional | 1990 (2002) | I |
| Alaska | | | | |
| Judicial Council | Supreme Court, Superior Court, and District Court | Const./Statute | 1959 | I/F |
| | Court of Appeals | Const./Statute | 1980 (1985) | I/F |
| Arizona | | | | |
| Commission on Appellate Court Appointments | Supreme Court and Court of Appeals | Constitutional | 1974 (1992) | I/F |
| Commission on Trial Court Appointments | Maricopa County Superior Court | Constitutional | 1974 (1992) | I/F |
| | Pima County Superior Court | Constitutional | 1974 (1992) | I/F |
| Colorado | | | | |
| Appellate Court Nominating Division | Supreme Court and Court of Appeals | Constitutional | 1967 | F |
| Judicial District Nominating Commission | District Court and County Court | Constitutional | 1967 | F |
| Denver County Court Nominating Commission | Denver County Court | Charter/Ordinance | 1960 (2002) | F |
| Connecticut | | | | |
| Judicial Selection Commission | Supreme Court, Appellate Court, Superior Court | Const./Statute | 1986 | I/F/R |
| Delaware | | | | |
| Judicial Nominating Committee | All judges (including Chief Magistrate) | Executive Order | 1979 | I/F/R |
| Magistrates Screening Committee | Justices of the Peace (excluding Chief Magistrate) | Executive Order | 1979 | I/F/R |
| District of Columbia | | | | |
| Judicial Nominating Commission | Court of Appeals and Superior Court | Statutory | 1973 | F/R |
| Florida | | | | |
| Judicial Nominating Commission | Supreme Court and District Court of Appeals | Constitutional | 1973 | I/F |
| | Circuit Court and County Court | Constitutional | 1973 | I |
| Georgia | | | | |
| Judicial Nominating Commission | Supreme Court, Court of Appeals, Superior Court, and State Court | Executive Order | 1973 | I |
| Hawaii | | | | |
| Judicial Selection Commission | Supreme Court, Intermediate Court of Appeals, Circuit Court, and District Court ¹ | Constitutional | 1978 | F/R |
| Idaho | | | | |
| Judicial Council | Supreme Court, Court of Appeals, District Court | Statutory | 1967 | I |
| Indiana | | | | |
| Judicial Nominating Commission | Supreme Court and Court of Appeals | Constitutional | 1960 | I/F |
| | Tax Court | Statutory | 1985 | I/F |
| | Allen County District Court | Statutory | 1983 | I/F |
| | Lake County District Court | Statutory | 1973 | I/F |
| | St. Joseph County District Court | Statutory | 1973 | I/F |
| Iowa | | | | |
| State Judicial Nominating Commission | Supreme Court | Constitutional | 1962 | I/F |
| | Court of Appeals | Statutory | 1976 | I/F |
| District Judicial Nominating Commission | District Court | Constitutional | 1962 | I/F |
| Magistrate Appointing Commission | District Associate Judge ² | Statutory | 1972 | I/F |
| | Magistrate ² | | | |
| Kansas | | | | |
| Supreme Court Nominating Commission | Supreme Court | Constitutional | 1972 | I/F |
| | Court of Appeals | Statutory | 1977 | I/F |
| District Judicial Nominating Commission | District Court | Statutory | 1975 | I/F |

Table 8. Judicial Nominating Commissions

Legend: I=Interim; F=Full; R=Retention

Note: Only those States with Judicial Nominating Commissions are included in this table.

| State/Name of commission | Offices encompassed | Authorization | Year created (year revised) | Terms covered |
|---|--|-------------------------|-----------------------------|--------------------|
| Kentucky Judicial Nominating Commission | Supreme Court, Court of Appeals, Circuit Court, and District Court | Constitutional | 1976 | I |
| Maryland Appellate Judicial Nominating Commission | Court of Appeals and Court of Special Appeals | Executive Order | 1970 | I/F |
| Trial Courts Judicial Nominating Commission | Circuit Court and District Court | Executive Order | 1970 | I/F/R ³ |
| Massachusetts Judicial Nominating Commission | Supreme Judicial Court, Appeals Court, Trial Court, and some clerk-magistrates | Executive Order | 1970 | I/F |
| Minnesota Commission on Judicial Selection | District Court | Statutory | 1983 ('90, '92) | I/F |
| Missouri Appellate Judicial Commission | Supreme Court and Court of Appeals | Constitutional | 1940 (1976) | I/F |
| Circuit Judicial Commission | City of St. Louis Circuit Court | Constitutional | 1940 (1976) | I/F |
| Jackson County Circuit Court | Constitutional | 1940 (1976) | I/F | |
| St. Louis County Circuit Court | Constitutional | 1940 (1976) | I/F | |
| Clay County Circuit Court | Constitutional | 1940 (1976) | I/F | |
| Platte County Circuit Court | Constitutional | 1940 (1976) | I/F | |
| Montana Judicial Nominating Committee | Supreme Court and District Court | Statutory | 1973 (rev.) | I |
| Worker's Compensation Court | Statutory | 1991 | I/F/R | |
| Chief Water Judge | Statutory | 1987 | I/F/R | |
| Nebraska Judicial Nominating Commission | Supreme Court, Court of Appeals, District Court, County Court, Juvenile Court, and Worker's Compensation Court | Const./Statute | 1972 | F |
| Nevada Commission on Judicial Selection | Supreme Court and District Court ⁴ | Constitutional | 1976 | I |
| New Hampshire Judicial Selection Commission | Supreme Court and Superior Court | Executive Order | 2005 | F |
| New Mexico Appellate Judges Nominating Commission | Supreme Court and Court of Appeals | Constitutional | 1988 | I/F |
| District Judges Nominating Committee | District Courts | Constitutional | 1988 | I/F |
| Metropolitan Court Judges Nominating Committee | Metropolitan Court | Constitutional | 1988 | I/F |
| New York Nominating Commission | Court of Appeals | Const./Statute | 1977 | I/F |
| State Judicial Screening Committee | Court of Claims | Executive Order | 1983 | I/F/R |
| Departmental Judicial Screening Committee | Supreme Court and Appellate Divisions of the Supreme Court | Executive Order | 1983 | F/R |
| County Judicial Screening Committee | County Court, Surrogates' Court, and Family Court (non-NYC) | Executive Order | 1983 | I/R |
| Mayor's Committee on the Judiciary | NYC Criminal Court, NYC Civil Court, and NYC Family Court | Executive Order (Mayor) | 1978 | I/F ⁵ |
| North Dakota Judicial Nominating Committee | Supreme Court and District Court | Constitutional | 1981 | I |
| Oklahoma Judicial Nominating Committee | Supreme Court and Court of Criminal Appeals | Constitutional | 1967 | I/F |
| Court of Appeals, District Court, and Worker's Compensation Court | Statutory | 1967 | I/F | |

Table 8. Judicial Nominating Commissions

Legend: I=Interim; F=Full; R=Retention

Note: Only those States with Judicial Nominating Commissions are included in this table

| State/Name of commission | Offices encompassed | Authorization | Year created (year revised) | Terms covered |
|---|--|-------------------------------------|-----------------------------|------------------|
| Pennsylvania | | | | |
| Office of General Counsel for Governor | Appellate Court | Executive Order | 1970s | I |
| Judicial Advisory Commission | Trial Court | Executive Order | 1970s | I |
| Rhode Island | | | | |
| Judicial Nominating Commission | Supreme Court, Superior Court, Family Court, District Court, Worker's Compensation Court, and Traffic Tribunal | Constitutional | 1994 | F |
| South Carolina | | | | |
| Judicial Merit Selection Commission | Supreme Court, Court of Appeals, Circuit Court, Family Court, Administrative Law Judge, and Masters-In-Equity | Statutory | 1975 (1996) | I/F/R |
| South Dakota | | | | |
| Judicial Qualifications Committee | Supreme Court and Circuit Court | Constitutional | 1972 | I/F ⁶ |
| Tennessee | | | | |
| Judicial Selection Commission | Supreme Court Court of Appeals and Court of Criminal Appeals Trial Courts | Statutory Statutory Statutory | 1994 1971 1994 | I/F I/F I |
| Utah | | | | |
| Appellate Court Nominating Commission | Supreme Court and Court of Appeals | Const./Statute | 1984 | F |
| Trial Court Nominating Commission | District Court and Juvenile Court | Const./Statute | 1984 | F |
| Vermont | | | | |
| Judicial Nominating Board | Supreme Court, Superior Court, District Court, Environmental Court, and Family Court Magistrates | Const./Statute | 1967 | I/F |
| West Virginia | | | | |
| Judicial Advisory Committee | Supreme Court of Appeals, Circuit Court | Executive Order | 2002 | I |
| Wisconsin | | | | |
| Governor's Advisory Committee on Judicial Selection | Supreme Court, Court of Appeal, and Circuit Court | Constitutional | 1973 | I/F |
| Wyoming | | | | |
| Judicial Nominating Committee | Supreme Court, District Court, and Circuit Court | Constitutional | 1973 | I/F |

FOOTNOTES:**Hawaii:**

¹ The Chief Justice makes appointments to the District Courts.

Iowa:

² District judges appoint district associate judges from lists of nominees recommended by the County Magistrate Nominating Commission. The County Magistrate Nominating Commission appoints magistrates.

Maryland:

³ The Trial Courts Judicial Nominating Commission only covers judicial retention in the Circuit Court.

Nevada:

⁴ Nominations for vacancies are made by a commission with seven permanent members and five temporary members. The temporary members are appointed as each vacancy occurs until nominations have been submitted to the governor.

New York:

⁵ The Mayor's Committee on the Judiciary only covers full terms in the New York City Criminal Court and the New York City Family Court.

South Dakota:

⁶ The committee recommends nominees to the governor to fill all vacancies on the Supreme Court and interim vacancies on the Circuit Court.

Table 9. Provisions for Mandatory Judicial Education

Legend: ~=Not applicable; N/S=None stated; S=State; L=Local; F=Fees; T=Tuition; ■=Yes

| | General jurisdiction court judges | | | | | |
|----------------------|-----------------------------------|------------------|--------------------|----------------------|--------------------|--------------------|
| | Initial/Pre-Bench education | | | Continuing education | | |
| | Required | Mandated hours | Sources of funding | Required | Mandated hours | Sources of funding |
| Alabama | ■ | None | S | ■ | None | S |
| Alaska | | None | S | ■ | None | S ¹ |
| Arizona | ■ | 72 ³ | S/L/T | ■ | 16 | S/L/T |
| Arkansas | | None | S | ■ | 12 | S |
| California | ■ | 120 | S | | None | S/L |
| Colorado | ■ ⁷ | 60 | S | ■ ⁸ | 15 | S |
| Connecticut | ■ | 80 ⁹ | S | ■ | 16 ⁹ | S |
| Delaware | | None | ~ | ■ | 23 | S |
| District of Columbia | | None | ~ | | None | ~ |
| Florida | ■ | 80 | F | ■ | 10 | S/F |
| Georgia | ■ | 12 | S | ■ | 12 | S |
| Hawaii | | None | ~ | ■ | 32 | S |
| Idaho | | 45 | S | ■ | None | S |
| Illinois | ■ | None | S | | None | ~ |
| Indiana | ■ ¹⁵ | None | S | ■ | 36 | S/L/T |
| Iowa | ■ ¹⁶ | None | S | ■ | 15 | S |
| Kansas | | None | S | ■ | 12 | S/F |
| Kentucky | ■ | 25 | S | ■ | 25 ¹⁷ | S |
| Louisiana | ■ ¹⁸ | None | ~ | ■ | 12.5 ¹⁹ | S/T |
| Maine | ■ ²⁰ | None | ~ | ■ ²⁰ | 12 | ~ |
| Maryland | ■ | None | S | ■ | 28 | S |
| Massachusetts | ■ ²¹ | None | S | ■ ²¹ | None | S |
| Michigan | ■ | 6.5 | S | | None | S |
| Minnesota | ■ | None | S | ■ | 45 ²² | S |
| Mississippi | ■ | N/S | F | ■ | 12 | S/F |
| Missouri | | None | S | ■ | 15 ²³ | S/L |
| Montana | | None | ~ | ■ | 15 | S |
| Nebraska | ■ ²⁴ | None | S | | None | S |
| Nevada | ■ | 84 ²⁵ | F | ■ | 12 ²⁶ | F |
| New Hampshire | ■ | None | S | ■ | 12 | S |
| New Jersey | ■ | 70 | S | ■ | 15 | S |
| New Mexico | | None | ~ | ■ | 15 | S/F/T |
| New York | ■ | 35 | L/S | ■ | 12 ²⁸ | S |
| North Carolina | ■ | 15 ²⁹ | S | ■ | 15 ³⁰ | S |
| North Dakota | ■ | None | S | ■ | 15 | S |
| Ohio | | None | S | ■ | 20 | S/L/T |
| Oklahoma | | None | ~ | ■ | 12 | S |
| Oregon | ■ ³¹ | None | ~ | ■ | 45 ³² | S |
| Pennsylvania | ■ ³⁵ | 50 | S | | None | ~ |
| Puerto Rico | ■ | None | S | | | |
| Rhode Island | ■ ³⁷ | None | S | ■ | 10 | S |
| South Carolina | ■ | 14 | S | ■ | 15 ³⁸ | S/T |
| South Dakota | | None | ~ | ■ | None | S |
| Tennessee | | None | S | ■ | 15 | S |
| Texas | ■ | 30 | S ⁴⁰ | ■ | 16 | S/L ⁴⁰ |
| Utah | ■ | None | S | ■ | 30 | S |
| Vermont | ■ | 100 | S | ■ | 64 | S |
| Virginia | ■ | 86 | S | ■ | 12 | S |
| Washington | ■ ⁴³ | None | S | ■ ⁴³ | 15 | S |
| West Virginia | ■ | None | S | ■ | 15 | S |
| Wisconsin | | None | ~ | ■ | 30 | S |
| Wyoming | | None | ~ | ■ | 15 | S |

Table 9. Provisions for Mandatory Judicial Education

Legend: ~ = Not applicable; N/S = None stated; S = State; L = Local; F = Fees; T = Tuition; ■ = Yes

| | Limited jurisdiction court judges | | | | | |
|----------------------|-----------------------------------|------------------------|--------------------|----------------------|-----------------------------|--------------------|
| | Initial/Pre-Bench education | | | Continuing education | | |
| | Required | Mandated hours | Sources of funding | Required | Mandated hours | Sources of funding |
| Alabama | ■ | None | S | ■ | None | S |
| Alaska | | None | S | ■ | None | S ² |
| Arizona | ■ | 120 ⁴ | S/L/T | ■ | 16 | S/L/T |
| Arkansas | | None | S | ■ | 12 | S |
| California | ~ | ~ | ~ | ~ | ~ | ~ |
| Colorado | ■ ⁷ | 60 | S | ■ ⁸ | 15 | S |
| Connecticut | ■ | 20 | ~ ¹⁰ | ■ | 15 | ~ ¹⁰ |
| Delaware | ■ | 375 | S | ■ | 23 | S |
| District of Columbia | ~ | ~ | ~ | ~ | ~ | ~ |
| Florida | ■ | 80 | F | ■ | 10 | L/F |
| Georgia | ■ | N/S ¹⁴ | S/L/F | ■ | N/S ¹⁴ | S/L/F |
| Hawaii | | None | ~ | ■ | 32 | S |
| Idaho | | 45 | S | ■ | None | S |
| Illinois | ~ | ~ | ~ | ~ | ~ | ~ |
| Indiana | 15 | None | S/L | ■ | 36 | S/L/T |
| Iowa | ■ | 13 | S | ■ | 15 | S |
| Kansas | | None | S | ■ | 12 | S |
| Kentucky | ■ | 25 | S | ■ | 25 ¹⁷ | S |
| Louisiana | 18 | None | ~ | ■ | 12.5 ¹⁹ | T |
| Maine | 20 | None | ~ | 20 | 12 | ~ |
| Maryland | ■ | None | S | ■ | 28 | S |
| Massachusetts | 21 | None | S | 21 | None | S |
| Michigan | ■ | 6.5 | S | ~ | None | S |
| Minnesota | ~ | ~ | ~ | ~ | ~ | ~ |
| Mississippi | ■ | 32 | F | ■ | 18 | F |
| Missouri | | None | S/L | | 15 | S |
| Montana | | None | ~ | ■ | 80 | S/L |
| Nebraska | 24 | None | S | | 10 | S |
| Nevada | ■ | 84 | F | ■ | 12 ^{26, 27} | L/F |
| New Hampshire | ■ | None | S | ■ | 12 | S |
| New Jersey | ■ | 35 | S/L | ■ | 6 | S/L |
| New Mexico | ■ | 40 | S/F | ■ | 15 | S/F |
| New York | ■ | 35 | S | ■ | 12 ²⁸ | S |
| North Carolina | ■ | 15 ²⁹ | S | ■ | 15 ³⁰ | S |
| North Dakota | ■ | 16 | L | ■ | 8 | L |
| Ohio | | None | S | ■ | 20 | S/L/T |
| Oklahoma | | None | ~ | | None | ~ |
| Oregon | 31 | None | ~ | | 33 | ~ |
| Pennsylvania | 35 | 160 ³⁶ | S | | 32- District 20- Traffic | S |
| Puerto Rico | ■ | None | S | ■ | None | S |
| Rhode Island | ■ ³⁷ | None | S | ■ | 10 | S |
| South Carolina | ■ | 22/80/56 ³⁹ | S | ■ | 15/18/12 ³⁹ | S/T |
| South Dakota | | None | ~ | ■ | None | S |
| Tennessee | | None | S/L | ■ | 15 | S/L |
| Texas | ■ | 80/12-32 ⁴¹ | S/L ⁴⁰ | ■ | 20/12 ⁴¹ | S/L ⁴⁰ |
| Utah | ■ | None | S | ■ | 30 | S/T |
| Vermont | ■ | 100 | S | ■ | 64 | S |
| Virginia | ■ | 86 | S | ■ | 12 | S |
| Washington | ■ ⁴³ | None | S | ■ ⁴³ | 15 | S |
| West Virginia | ■ | None | S | ■ | 15 | S |
| Wisconsin | ■ | 12 | L | ■ | 12 | L |
| Wyoming | | None | ~ | ■ | 15 | S |

Table 9. Provisions for Mandatory Judicial Education

Legend: ~=Not applicable; N/S=None stated; S=State; L=Local; F=Fees; T=Tuition; ■=Yes

| | Appellate court judges | | | | | |
|----------------------|-----------------------------|----------------|--------------------|----------------------|--------------------|--------------------|
| | Initial/Pre-Bench education | | | Continuing education | | |
| | Required | Mandated hours | Sources of funding | Required | Mandated hours | Sources of funding |
| Alabama | | None | ~ | | None | ~ |
| Alaska | | None | S | ■ | None | S |
| Arizona | ■ | ~ ⁵ | ~ | ■ | 16 | S/T |
| Arkansas | 6 | None | S | ■ | 12 | S |
| California | ■ | None | S | | None | S |
| Colorado | 7 | 60 | ~ | ■ ⁸ | 15 | S |
| Connecticut | 11 | None | ~ | ■ ¹² | None | ~ |
| Delaware | | None | ~ | ■ | 23 | S |
| District of Columbia | 13 | None | ~ | 13 | None | ~ |
| Florida | ■ | 40 | F | ■ | 10 | F |
| Georgia | | None | ~ | ■ | 12 | S |
| Hawaii | | None | ~ | ■ | 32 | S |
| Idaho | | None | ~ | ■ | None | S |
| Illinois | | None | ~ | | None | ~ |
| Indiana | 15 | None | S | ■ | 36 | S/T |
| Iowa | | None | ~ | ■ | 15 | S |
| Kansas | | None | S | ■ | 12 | S |
| Kentucky | | None | ~ | ■ | 25 ¹⁷ | S |
| Louisiana | 18 | None | ~ | ■ | 12.5 ¹⁹ | T |
| Maine | 20 | None | ~ | 20 | 12 | ~ |
| Maryland | ■ | None | S | ■ | 28 | S |
| Massachusetts | 21 | None | S | 21 | None | S |
| Michigan | | 6.5 | S | ~ | None | S |
| Minnesota | | None | S | ■ | 15 | S |
| Mississippi | ■ | None | S/F | ■ | 12 | S/F |
| Missouri | | None | S | | 15 | S |
| Montana | | None | ~ | ■ | 15 | S |
| Nebraska | 24 | None | S | | 20 (every 2 yrs.) | S |
| Nevada | | 16 | F/S | ■ | 12 ²⁶ | F/S |
| New Hampshire | | None | ~ | ■ | 12 | S |
| New Jersey | | None | ~ | ■ | 15 | S |
| New Mexico | | None | ~ | ■ | 15 | S/F/T |
| New York | | None | ~ | ■ | 12 ²⁸ | S |
| North Carolina | | None | ~ | ■ | 15 ³⁰ | S |
| North Dakota | | None | ~ | ■ | 15 | S |
| Ohio | | None | S | ■ | 20 | S/L/T |
| Oklahoma | | None | ~ | | 12 | S |
| Oregon | | None | ~ | ■ | 45 ³⁴ | T |
| Pennsylvania | | None | ~ | | None | ~ |
| Puerto Rico | ■ | None | S | ■ | None | S |
| Rhode Island | ■ ³⁷ | None | S | ■ | 10 | S |
| South Carolina | ■ | 6 | S | ■ | 15 ³⁸ | S/T |
| South Dakota | | None | ~ | ■ | None | S |
| Tennessee | | None | S | ■ | 15 | S |
| Texas | ■ | 30 | S | ■ | 16 | S/L |
| Utah | | None | ~ | ■ | 30 | S |
| Vermont | ■ | 50 | S | ■ ⁴² | 64 | S |
| Virginia | | None | ~ | ■ | 12 | S |
| Washington | | None | S | ■ | 15 | S |
| West Virginia | | None | ~ | ■ | 15 | S |
| Wisconsin | | None | ~ | ■ | 30 | S |
| Wyoming | | None | ~ | ■ | 15 | S |

Table 9. Provisions for Mandatory Judicial Education

FOOTNOTES:

Alaska:

¹ The court conducts a mandatory annual judicial training at the Judicial Conference. CLE credits are given if the curriculum is co-developed with the Alaska Bar Association. If funding is available, new judges are sent to the National Judicial College in the first year of appointment to the bench.

² Magistrates have an in-state training course and an annual conference.

Arizona:

³ Hours are completed during one program spanning several days.

⁴ Hours are completed during one program spanning several days.

⁵ The number of hours vary as they are determined individually.

Arkansas:

⁶ The Administrative Office of the Courts provides pre-bench training and all judges attend, but it is not required.

Colorado:

⁷ Initial/pre-bench education is a one-time training.

⁸ Continuing education is the requirement of the Colorado Bar Association, which requires forty-five hours every three years for all members.

Connecticut:

⁹ There is no credit-based requirement in Connecticut.

¹⁰ Funding comes from a probate administration fund. This is public money.

¹¹ Although not mandatory, many new appellate judges participate in initial appellate conferences/seminars.

¹² Although not mandatory, many of the appellate judges attend the annual New England Appellate Judges Conference.

District of Columbia:

¹³ By statute, the Chief Judge of the Appellate Court is required to hold an annual judicial training conference.

Georgia:

¹⁴ This varies by court.

Indiana:

¹⁵ Initial or pre-bench education is not required, but is provided through the Indiana Judicial Center.

Iowa:

¹⁶ It is offered but not required by law or rule. Most new judges attend the two-day in-state program and a three-week course at the National Judicial College.

Kentucky:

¹⁷ These are the number of hours required in a two-year period.

Louisiana:

¹⁸ New judges orientation is mandatory and is held just before or just after the majority of new judges take office. Orientation generally provides 15 hours of CLE credit.

¹⁹ It is strongly encouraged, but not mandatory.

Maine:

²⁰ Although neither pre-bench or continuing education is required, the Judicial Education Committee budgets for judges to attend courses at the National Judicial College and elsewhere and offers a number of seminars for the education of judges.

Massachusetts:

²¹ The Judicial Institute, a statutory body integrated into the organization of the Administrative Office of the Trial Court, conducts educational and training programs. The Judicial Institute is funded by state appropriations. The Flaschner Institute, a non-governmental charitable corporation supported by contributions, grants and contracts, also conducts educational programs for MA judges. While no requirement for on-going judicial education exists, judges are mandated to participate in specified programs and courses developed and identified on the basis of current and future needs of the system. The number of mandated programs varies each year.

Minnesota:

²² This is required every three years.

Missouri:

²³ As with any attorney, judges are required to complete 15 hours per year. Family Court judges and commissioners are required to complete six additional hours per year.

Nebraska:

²⁴ Orientation is required, but there is no hourly requirement.

Nevada:

²⁵ Family Court judges have an additional 40-hour requirement (role of Family Court judges).

²⁶ Two of these hours must be ethics/professional conduct.

²⁷ This is required for attorney judges only. No requirement for non-attorney judges.

New York:

²⁸ Biannual cycle - 24 hours are required every two years.

North Carolina:

²⁹ Every judge in the general jurisdiction court and the limited jurisdiction court is required to attend a course of instructional orientation for new judges within the first year after appointment or election, which counts toward the thirty-hour biennial continuing education requirements.

³⁰ Every justice or judge is required to complete thirty hours biennially of continuing legal or judicial education and at least 15 hours of it shall be judicial education.

Oregon:

³¹ None mandatory; but the AOC offers a "New Judge Orientation" program for state judges that is strongly encouraged and attended by most. Limited jurisdiction court judges attend when space is available.

³² The same rules apply for all lawyers/judges: a mandatory CLE requirement through state bar and rules approved by state Supreme Court. No separate "judge" CLE requirement exists.

³³ Justices of the Peace must have 30 hours of CLE every two years or average 15 hours/year. Municipal judges who are lawyers must have 45 hours of CLE over 3 years or average 15 hours/year to meet the lawyers' MCLE requirement.

³⁴ Forty-five hours of CLE are required every 3 years or an average of 15 hours per year.

Pennsylvania:

³⁵ Initial education for trial court judges is offered, but is not required.

³⁶ A four-week certification course and test must be completed. Members of the Pennsylvania Bar are exempt from the course and the test.

Rhode Island:

³⁷ The pre-bench requirement is attendance at the National Judicial College.

South Carolina:

³⁸ In addition to the minimum of 15 hours of accredited judicial continuing legal education, judicial members attend any educational activity designated as mandatory by the Supreme Court of South Carolina or by the Commission on Continuing Legal Education and Specialization.

³⁹ This applies to Family Court/Magistrates/Municipal Court, respectively.

Texas:

⁴⁰ A fee assessed in all criminal convictions goes into a fund, Fund 540, which is specifically allocated for Judicial and Court Support Personnel Training. The Court of Criminal Appeals includes in its appropriations request to the legislature a line item for Fund 540. These funds are then available, through a grant application process, to various judicial education entities in the state.

⁴¹ Justices of the Peace are required to have 80 hours of initial/pre-bench education and 20 hours of continuing education. Municipal judges are required to have between 12 and 32 hours of initial/pre-bench education and 12 hours of continuing education.

Vermont:

⁴² Continuing education for appellate court judges, while not mandated, is available and provided on an as-needed basis.

Washington:

⁴³ Education requirements are set forth in GR.26. Non-compliance may be deemed in violation of the Code of Judicial Conduct and subject to reporting to the Commission on Judicial Conduct.

Table 10. Judicial Performance Evaluation

Legend: ~ = Not applicable; N/S = Not stated

Note: Only those States with official judicial performance evaluations are included in this table.

| | Evaluating body/authorization | Evaluation committee | Evaluation procedures |
|-----------------------------|---|---|--|
| Alaska | Alaska Judicial Council/ Statutes: §22.05.100 §22.07.060 §22.10.150 §22.15.155 | 7 members: 3 state bar appointed attorneys, 3 non- attorneys, and the Chief Justice of the Supreme Court. | Judges are evaluated prior to retention elections. Evaluations are based on forms completed by court participants. Evaluation results are included in election pamphlets that are mailed to all registered Alaskan voters. |
| Arizona | Arizona Constitution Article 6, Section 42 | 30 members: includes the public, lawyers, and judges. | Evaluations based on public comment, hearings, and anonymous survey forms distributed to court participants. Court participant surveys seek evaluation of a judge's abilities and skills, including narrative comments. A factual report is issued in the judge's election year. |
| Colorado | State Commission on Judicial Performance/§13-5.5-101 | 10 members each: 4 attorneys, 6 non- attorneys. 4-year terms. | State Commission (for appellate judges) or District Commission (for trial judges) prepares evaluation profile on each judge standing for re-election and provides this to the public. |
| Connecticut | Judicial Performance Evaluation Program/Established by directive of the Chief Justice | The Advisory Panel consists of judges, attorneys, a law professor, and a state legislator. | Attorney and juror questionnaires are used to solicit information on the judges' courtroom performance in the areas of demeanor, legal ability, and judicial management skills. Evaluation reports are generated from the input received. The Chief Court Administrator, or designee, conducts individual interviews to aid judges in interpreting the data. Judges are also provided with self-assessment forms to assist them in assessing their own courtroom performance and placing the attorney and juror responses in perspective. |
| District of Columbia | D.C. Commission on Judicial Disabilities and Tenure/Title 11 Appx. IV433 | 7 members: 1 appointed by the President of the U.S., 2 (1 must be an attorney) appointed by the Mayor, 1 appointed by the City Council of D.C., 1 appointed by the Chief Judge of the U.S. District Court for D.C. All must be residents of D.C. All serve six-year terms except for the President's appointee, who serves a five-year term. | Written evaluation upon an active associate judge's request for reappointment to another fifteen-year term. Committee must determine if the judge is well qualified (automatic reappointment), qualified (subject to nomination and approval), or unqualified. |
| Florida | Joint project of the state judiciary and the Florida Bar, authorized by the Supreme Court | ~ | A confidential means by which attorneys can communicate perceived strengths and weaknesses of judicial performance, thereby assisting judges in eliminating weaknesses and enhancing strengths. Evaluation forms go directly to judges; no committee reviews the evaluations. Evaluations are confidential under Florida Rule of Judicial Administration 2.05(c)(4). Participation is voluntary. |
| Hawaii | Judicial Performance Committee/Supreme Court Rule 19 | Supreme Court special committee on judicial performance; 13 members: 3 non-lawyers, 6 lawyers, the Administrative Director of the Courts, and 3 judges. | Attorneys complete confidential questionnaires. |
| Idaho | Magistrates Commission | Magistrates commission consists of judges, attorneys, and elected officials. | Questionnaires distributed to practicing attorneys regarding performance of magistrate judges. |
| Illinois | Planning and Oversight Committee for a Judicial Performance Evaluation Program/SCR58 | Actual evaluation is contracted out (currently to Bronner Group, L.L.C., Chicago, Illinois). | Details of confidential evaluation procedure determined by contractor. |
| Maryland | Judicial Administration Section Council/State Bar Association | 18 State Bar Association members. | Exit polling of attorneys. |

Table 10. Judicial Performance Evaluation

Legend: ~=Not applicable; N/S=Not stated

Note: Only those States with official judicial performance evaluations are included in this table.

| | Evaluating body/authorization | Evaluation committee | Evaluation procedures |
|----------------------|---|--|---|
| Massachusetts | Supreme Judicial Court/211§26-26b | Supreme Judicial Court and Chief Justice for Administration and Management. | Judges with four years' experience are evaluated once every 12-18 months; judges with at least four years experience are evaluated once every 18-36 months. Anonymous questionnaires are given to court participants in a representative sample of cases. Completed evaluations are made available to and discussed with judges. |
| Michigan | Supreme Court/§600.238 | ~ | Provides for use of national trial court performance standards by trial judges. |
| Minnesota | Joint Supreme Court, Conference of Chief Judges, and Minnesota District Judges Association Committee | Trial and appellate court judges. | Joint committee offers technical assistance to judges and districts. Each judicial district has developed its own evaluation process and procedures. All evaluation processes are voluntary. |
| New Hampshire | Trial Court Administrative Judge | Administrative Judge. | Anonymous questionnaires are distributed to court staff and constituents; these are supplemented with self-assessment questionnaires. Administrative Judge reviews results with the judge under evaluation. |
| New Jersey | Judicial Performance Committee/RGA 1:35A-1 | At least 6 judges, 3 attorneys, and 2 members of the public. Additional members fixed by Supreme Court. 3-year terms. | During a judge's review period of approximately nine months, anonymous surveys are sent to all attorneys who appeared before the judge and to appellate judges who have heard cases from the judge under review. |
| New Mexico | Judicial Performance Evaluation Commission/ NM Supreme Court | 15 members: 8 lay persons and 7 lawyers. The Supreme Court appoints members from nominations submitted by representatives of the executive, legislative, and judicial branches. | Confidential written surveys. |
| Puerto Rico | Judicial Evaluation Commission | 9 members, including a Supreme Court judge, 1 member experienced in administrative/ managerial matters, and at least 1 non-attorney. 3-year terms. | Judges are evaluated every three years based on self-evaluations and surveys of attorneys, peers, jurors, and presiding judge. Reports are discussed with judges. |
| Rhode Island | Judicial Performance Evaluation Committee | 6 judges, 3 state bar members, 2 members of the public familiar with the judicial system. 2-year terms. | All judges are evaluated biannually on the basis of "acceptable, professionally recognized methods of data collection." |
| Tennessee | Judicial Evaluation Commission (expires 6/30/2007)/§17-4-201, §4-29-223 | 12 members: 4 state court judges, 2 non-lawyers appointed by Judicial Council, 3 lawyers appointed by Speaker of the Senate, 3 members appointed from designated organizations by Speaker of the House of Representatives. | All appellate judges are evaluated based on personal interviews, evaluation surveys, self-reported personal information, and other comments and information. A final report of less than 600 words per judge is published not less than 180 days before the qualifying deadline in a general circulation daily newspaper in specified parts of the state. |
| Utah | Utah Judicial Council with Standing Committee on Judicial Performance Evaluation/CJA R3-11, 2-10 6 §78-3-21 | 14 members: Chief Justice of Supreme Court, 12 members to be elected by judges of various courts, 1 member of the Board of Commissioners. 3-year terms. ¹ | N/S |
| Vermont | Judicial Performance Evaluation Committee/Supreme Court charge and designation | Under development ² | Under development ^{2,3} |

Table 10. Judicial Performance Evaluation

Legend: --=Not applicable; N/S=Not stated

Note: Only those States with official judicial performance evaluations are included in this table.

| | Evaluating body/authorization | Evaluation committee | Evaluation procedures |
|-----------------|--|--|--|
| Virginia | Judicial Performance Evaluation Commission/Rule of Court | 8 members appointed by the Chief Justice | Confidential surveys are sent to attorneys and jurors to solicit information on judges' courtroom demeanor, perceived fairness, knowledge of the law, and clarity of decisions, as well as other areas of judicial behavior. Survey results are provided to the evaluated judge and a mentor or "facilitator" judge, and to the General Assembly at time of re-election. |

Note: The following States report judicial performance evaluation programs operated independently by their state bar association: Maine, Missouri, Nebraska, Pennsylvania, South Carolina, Texas, Washington, West Virginia, and Wyoming.

FOOTNOTES:

Utah:

¹The evaluation of judges and court commissioners is conducted by the Utah Judicial Council. The Standing Committee on Judicial Performance Evaluation (SCJPE) administers the program and recommends policies and procedures. The membership of the SCJPE consists of two lawyers, one of whom serves as chair; three members of the public; one court commissioner; and one judge from each of the five levels of court.

Vermont:

²A pilot program was implemented. The Judicial Performance Evaluation Committee is currently reviewing the results of the pilot program.

³The pilot program used attorney questionnaires, litigant exit surveys, self-assessments and caseload management reports.

Table 11. Judicial Discipline: Investigating and Adjudicating Bodies

Legend: ~ = Not applicable

| | Investigating body | Number of: | | | Adjudicating body | Appeals from adjudication are filed with: | Final disciplining body | Point at which reprimands are made public |
|-----------------------------|---|----------------|--------|---------|---|---|--|---|
| | | Name | Judges | Lawyers | | | | |
| Alabama | Judicial Inquiry Committee | 3 | 2 | 2 | Court of the Judiciary | Supreme Court | Court of the Judiciary | Filing of the complaint with the Court of the Judiciary |
| Alaska | Committee on Judicial Conduct | 3 | 3 | 3 | Supreme Court | ~ | Supreme Court | Filing of recommendation with Supreme Court |
| Arizona | Commission on Judicial Conduct | 6 | 2 | 3 | Commission on Judicial Conduct | Discretionary with Supreme Court | Supreme Court | Commission on Judicial Conduct determines if there is probable cause to bring formal charges. |
| Arkansas | Judicial Discipline and Disability Committees | 3 | 3 | 3 | Commission | Supreme Court | Supreme Court | At disposition of case |
| California | Commission on Judicial Performance | 3 | 2 | 6 | Commission on Judicial Performance | Supreme Court has discretionary review | Commission on Judicial Performance | Upon commission determination ¹ |
| Colorado | Committee on Judicial Discipline | 4 | 2 | 4 | Commission on Judicial Discipline | No appeal | Supreme Court | Adjudication |
| Connecticut | Judicial Review Council | 3 | 3 | 6 | Judicial Review Council; Supreme Court | Supreme Court | Supreme Court | Public censure is issued at between 10 and 30 days after notice to the judge, provided that if the judge appeals, there is an automatic stay of disclosure. |
| | Council on Probate Judicial Conduct | 1 | 1 | 2 | Council on Probate Judicial Conduct | Supreme Court | Supreme Court | |
| Delaware | Preliminary Committee of the Court on the Judiciary | 0 | 4 | 2 | Court on the Judiciary | No appeal | Court on the Judiciary | Upon issuance of opinion and imposition of sanction |
| | Investigatory Committee of the Court on the Judiciary | 7 | 0 | 0 | | | | |
| District of Columbia | Commission on Judicial Disabilities and Tenure | 1 | 4 | 2 | Commission on Judicial Disabilities and Tenure | Federal judge panel: 3 appointments by Chief Justice of Supreme Court | Commission on Judicial Disabilities and Tenure | Filing of order with D.C. Court of Appeals ² |
| Florida | Judicial Qualifications Commission | 6 ³ | 4 | 5 | Judicial Qualifications Commission ⁴ | No appeal | Supreme Court ⁵ | Filing of formal charges by Committee with Supreme Court Clerk |
| Georgia | Judicial Qualifications Commission | 2 | 3 | 2 | Supreme Court | No appeal | Supreme Court | Formal Hearing |
| Hawaii | Commission on Judicial Conduct | 0 | 3 | 4 | Commission on Judicial Conduct | No appeal | Supreme Court | Imposition of public discipline by Supreme Court |
| Idaho | Judicial Council | 2 | 2 | 3 | Supreme Court | Supreme Court | Supreme Court | Filing with Supreme Court |
| Illinois | Judicial Inquiry Board | 2 | 3 | 4 | Courts Commission | No appeal | Courts Commission | Filing of complaint by Judicial Inquiry Board to Courts Commission |
| Indiana | Judicial Qualifications Committee | 1 | 3 | 3 | Supreme Court | ~ | Supreme Court | Institution of Formal Proceedings |

Table 11. Judicial Discipline: Investigating and Adjudicating Bodies

Legend: ~ = Not applicable

| | Investigating body | | | Adjudicating body | Appeals from adjudication are filed with: | Final disciplining body | Point at which reprimands are made public | |
|----------------------|---|--------------------|---------|-------------------|--|-------------------------|---|---|
| | Name | Number of: | | | | | | |
| | | Judges | Lawyers | Lay persons | | | | |
| Iowa | Judicial Qualifications Commission | 1 | 2 | 4 | Judicial Qualifications Commission | Supreme Court | Supreme Court | Application by the commission to the Supreme Court |
| Kansas | Commission on Judicial Qualifications | 6 | 4 | 4 | Supreme Court | Supreme Court | Supreme Court | Reprimand is published by Supreme Court if approved by Supreme Court. |
| Kentucky | Judicial Conduct Committee | 3 | 1 | 2 | Judicial Conduct Committee | Supreme Court | Judicial Conduct Committee | Application of judge under investigation |
| Louisiana | Judiciary Commission | 3 | 3 | 3 | Supreme Court | No appeal | Supreme Court | Filing of formal complaint by commission with Supreme Court |
| Maine | Committee on Judicial Responsibility and Disability | 2 | 2 | 3 | Supreme Judicial Court | No appeal | Supreme Judicial Court | Filing of report to Supreme Judicial Court |
| Maryland | Commission on Judicial Disabilities | 3 | 3 | 5 | Court of Appeals | ~ | Court of Appeals | Filing of record by Committee to Court of Appeals |
| Massachusetts | Commission on Judicial Conduct | 3 | 3 | 3 | Supreme Judicial Court | ~ | Supreme Judicial Court | After final of formal charges with the Supreme Judicial Court |
| Michigan | Judicial Tenure Commission | 5 | 2 | 2 | Supreme Court | Supreme Court | Supreme Court | Filing of formal complaint by commission with Supreme Court |
| Minnesota | Board of Judicial Standards | 3 | 2 | 4 | Supreme Court | No appeal | Supreme Court | Filing of formal charges by Committee with Supreme Court |
| Mississippi | Commission on Judicial Performance | 4 | 1 | 2 | Supreme Court | ~ | Supreme Court | Recommendation of Commission to Supreme Court |
| Missouri | Commission on Retirement, Removal and Discipline | 2 | 2 | 2 | Commission on Retirement, Removal and Discipline | Supreme Court | Supreme Court | Filing of recommendation by Committee to Supreme Court |
| Montana | Judicial Standards Commission | 2 | 1 | 2 | Supreme Court | No appeal | Supreme Court | Filing of record by Committee with Supreme Court |
| Nebraska | Commission on Judicial Qualification | 4 | 3 | 3 | Supreme Court | No appeal | Supreme Court | Commission may issue a public reprimand |
| Nevada | Commission on Judicial Discipline | 2 | 2 | 3 | Commission on Judicial Discipline | Supreme Court | Commission on Judicial Discipline | Upon filing of report by Committee and service upon judge |
| New Hampshire | Supreme Court Committee on Judicial Conduct | 3 ⁶ | 2 | 5 | | Supreme Court | Supreme Court | On issuance of reprimand ⁷ |
| New Jersey | Advisory Committee on Judicial Conduct | 2 (retired) | 3 (min) | 4 (max) | Supreme Court | ~ | Supreme Court | Filing of formal complaint |
| New Mexico | Judicial Standards Commission | 2 + one magistrate | 2 | 6 | Supreme Court | ~ | Supreme Court | Filing of record by Commission with Supreme Court |

Table 11. Judicial Discipline: Investigating and Adjudicating Bodies

Legend: ~ = Not applicable

| | Investigating body | Number of: | | | Adjudicating body | Appeals from adjudication are filed with: | Final disciplining body | Point at which reprimands are made public |
|-----------------------|---|------------------------------|--------|-----------------|---|---|---|--|
| | | Name | Judges | Lawyers | | | | |
| New York | Commission on Judicial Conduct | 4 | 1 | 2 | Commission on Judicial Conduct | Court of Appeals | Commission on Judicial Conduct and Court of Appeals | Completion of service of record on respondent |
| North Carolina | Judicial Standards Commission | 3 | 2 | 2 | Supreme Court | No appeals | Supreme Court | Upon recommendation of Commission to Supreme Court |
| North Dakota | Commission on Judicial Conduct | 2 | 1 | 4 | Supreme Court | ~ | Supreme Court | At formal hearing |
| Ohio | Board of Commissioners on Grievance and Discipline ⁸ | 7 | 17 | 4 | Board of Commissioners on Grievance and Discipline | Supreme Court | Supreme Court | Adjudication |
| Oklahoma | Court on the Judiciary Trial Division Council | 8 | 1 | 0 | Court on the Judiciary Trial Division; | Court on the Judiciary Division; | Court on the Judiciary Appellate Division | Filing with clerk of the Appellate Court |
| | Council on Judicial Complaints | 0 | 2 | 1 | Council on Judicial Complaints | no appeal from Council on Judicial Complaints | | |
| Oregon | Commission of Judicial Fitness and Disability ⁹ | 3 | 3 | 3 | Supreme Court | No appeal | Supreme Court | ¹⁰ |
| Pennsylvania | Judicial Conduct Board | 3 | 3 | 6 | Court of Judicial Discipline | Supreme Court | Supreme Court | Once a final decision has been made |
| Puerto Rico | Disciplinary and Removal from office for health reasons | ~ | 5 | 1 | Supreme Court | ~ | Supreme Court | Filing of formal complaint to the Discipline Commission |
| Rhode Island | Commission on Judicial Tenure and Discipline | 4 (+3 from General Assembly) | 3 | 3 | Supreme Court | No appeals | Supreme Court | When Supreme Court affirms a recommendation for reprimand or removal |
| South Carolina | Commissioners on Judicial Conduct | 14 | 3 | 2 | Supreme Court | ~ | Supreme Court | Adjudication |
| South Dakota | Judicial Qualifications Commission | 2 | 3 | 2 | Supreme Court | No appeals | Supreme Court | Filing with the Supreme Court |
| Tennessee | Court of the Judiciary | 9 | 3 | 2 | Court of the Judiciary | Supreme Court, then General Assembly | Supreme Court or General Assembly | Filing of complaint in Appellate Court Clerk's office |
| Texas | State Commission on Judicial Conduct | 5 | 2 | 4 | Supreme Court, Commission on Judicial Conduct, or review tribunal consisting of Justices of Courts of Appeals | Supreme Court | Supreme Court, Commission on Judicial Conduct, or review tribunal consisting of Justices of the Courts of Appeals | Convening of formal hearing by the Commission on Judicial Conduct |
| Utah | Judicial Conduct Commission | 2 | 2 | 3 ¹¹ | Judicial Conduct Commission | Supreme Court | Supreme Court | 10 days after filing appeal |

Table 11. Judicial Discipline: Investigating and Adjudicating Bodies

Legend: ~ = Not applicable

| | Investigating body | | | Adjudicating body | Appeals from adjudication are filed with: | Final disciplining body | Point at which reprimands are made public | |
|----------------------|---|--------------------|---------|-------------------|---|-------------------------------------|--|--|
| | Name | Number of: | | | | | | |
| | | Judges | Lawyers | Lay persons | | | | |
| Vermont | Judicial Conduct Board | 2 | 2 | 3 | Supreme Court | Supreme Court | Supreme Court | Filing of formal charges by Board with Supreme Court |
| Virginia | Judicial Inquiry and Review Commission | 3 | 2 | 2 | Supreme Court | Supreme Court | Supreme Court | Filing of formal complaint by Committee with Supreme Court |
| Washington | Commission on Judicial Conduct | 3 | 2 | 6 | Supreme Court | No appeal | Committee on Judicial Conduct or Supreme Court | Beginning of fact finding hearing by Committee |
| West Virginia | Judicial Investigation Committee and Judicial Hearing Board | 3 + one magistrate | 2 | 3 | Judicial Hearing Board (JHB) | JHB recommends to SCA ¹³ | Supreme Court of Appeals ¹² | Upon decision by Supreme Court of Appeals |
| Wisconsin | Judicial Commission | 2 | 2 | 5 | Supreme Court ¹³ | No appeal | Supreme Court | Filing of petitioner formal complaint by Judicial Commission w/Supreme Court |
| Wyoming | Commission on Judicial Conduct and Ethics | 3 | 3 | 6 | Supreme Court | ~ | Supreme Court | Filing with Supreme Court |

FOOTNOTES:

California:

¹ In cases involving more serious misconduct, the commission may issue a public admonishment or public censure. The nature and impact of the misconduct generally determine the level of discipline. Both public admonishments and public censures are notices sent to the judge describing the improper conduct and stating the findings made by the commission. These notices are also made available to the press and the general public.

District of Columbia:

² This only applies in cases of removal or involuntary retirement wherein the Chief Justice appoints a three-member federal judge panel to review commission's order of removal.

Florida:

³ This figure is comprised of two judges of each of the District Courts of Appeal, Circuit, and County courts.

⁴ The Judicial Qualifications Commission investigates and makes recommendations to the Supreme Court for discipline or removal.

⁵ The Supreme Court power of removal is alternative and cumulative to the power of impeachment and suspension by the Governor and Senate.

New Hampshire:

⁶ One Clerk of Court is also part of the investigating body.

⁷ The Supreme Court Committee on Judicial Conduct may admonish, reprimand or order conditions, and the Supreme Court may impose formal discipline.

Ohio:

⁸ Initial review is carried out by a panel of three commissioners.

Oregon:

⁹ Technically, the Commission of Judicial Fitness and Disability does not adjudicate disciplinary matters. It hears the evidence and makes recommendations to the Supreme Court, which must review the records, or any stipulation for discipline and can hear additional evidence. Technically, then, there is no appeal. The Supreme Court orders any discipline, including any stipulated sanction.

¹⁰ In Oregon, the allegations become public when the Commission issues a notice of public hearing, generally 14 days in advance of the hearing (although it can be less in the public interest). The actual complaint is not made public then, but the notice includes the general nature of the allegations. In a disciplinary case (but not a disability case), the Commission hearing, the evidence received there, and the Commission's decisions and recommendations are public. The Supreme Court decision is public when the Court files its opinion. There is no reprimand or other sanction until the Supreme Court decision.

Utah:

¹¹ In addition, four legislators are on the commission.

West Virginia

¹² The final disciplining body is the same for both the Commission and Judicial Hearing Board.

Wisconsin:

¹³ The Judicial Conduct and Disability Panel, through an ad hoc three-judge panel (two must be Court of Appeals judges, one can be a retired, reserve judge or Court of Appeals judge appointed as a hearing examiner) makes a report to the Supreme Court.

Part III: The Judicial Branch: Governance, Funding, and Administration

Each state as well as the District of Columbia and Puerto Rico has an independent judicial branch. As indicated in Table 12, either the Court of Last Resort (COLR) (fifteen states) or the Chief Justice of the Court of Last Resort (34 states, Puerto Rico, and the District of Columbia) is the designated head of the judicial branch. In Utah, the Judicial Council is the designated head.

The formulation of rules for court procedure is basic to the governance of the judicial branch. Table 13 indicates whether the state constitution or the legislative branch grants the rule-making authority of the COLR in key procedural areas. The specific areas covered in Table 13 are appellate and trial court administration; appellate, civil, and criminal procedure; rules of evidence; attorney and judicial discipline; and trial court costs and fees assessment.

Many state judicial branches incorporate councils or conferences in either a policy-making or advisory capacity. Table 14 lists the relevant bodies that report to the state's COLR and cites their purpose, statutory or constitutional authority, and the year in which they were established. Most councils or conferences are established by statute, but they may also be established by the state constitution or by a COLR rule.

Twenty-three states have established Judicial Compensation Commissions that meet periodically to set the salaries of judicial officials. Table 15 offers information on the statutory or constitutional authority, composition, and meeting schedule of these commissions. Whether the respective commissions report to the legislature, executive, or the judiciary as well as the effects of their recommendations is also stated in this table.

Table 16 explains the preparation of the judicial branch's budget. In most states the budget is initially prepared by the state's administrative office of the courts, generally followed by a central review of budget submissions by the state's COLR or administrative office of the courts. The situation in many states is complex, which is reflected in the number of footnotes appended to the table. Table 16 also focuses on the role of the executive and legislative branches in submitting and possibly amending the judicial branch budget, and provides an estimate of the percentage of the total state budget accounted for by the judicial branch. There is some new budget-related information in the 2004 edition. Specifically, the table gives the number of budget line items in the judicial branch budget and states whether that branch can move funds between those budget lines.

Table 17 begins with the expenditures for trial court operations, distinguishing (where possible) between state and local funding sources. The table also describes

some specific expenditures that fall within the trial court budget. Table 17 lists 18 expenditure areas, noting whether the source of funding is the state, county/local government, or fees. Often expenditures are funded through several sources. In using this table it should be noted that it refers only to the funding of trial courts, and is therefore not directly comparable to the dollar amounts offered in Table 16, which describes the entire judicial branch budget. Table 17 highlights important differences in the scope of state judicial branches, specifically whether they encompass functions such as child support enforcement, juvenile probation and detention, or indigent defense. Such differences in scope, along with differences in which expenditures are state funded and which are locally funded or fee supported, explain to a substantial extent differences in the proportion of the state budget designated for the judicial branch as well as staffing levels of administrative offices of the courts.

Appellate courts have a designated clerk with responsibilities that range from administrative tasks to legal research. Table 18 indicates whether a clerk's office has total, shared, or no responsibility for 29 functional areas. In addition, this table reports the total number of full time equivalent staff that report to the clerk of court.

In most states, the appellate court clerk is appointed by the members of the court and serves at the pleasure of the court. (The clerk of the Supreme Court in Montana is an elected official, as are the clerks of the 12 regional intermediate appellate courts in Ohio). In 14 states, the clerk of the court of last resort also serves as clerk of the state's other appellate court(s). Minimum qualifications for clerks vary dramatically between states. Some call for a high school diploma, while others require admittance to the state bar. Details are in Table 19.

Law clerks provide direct support to appellate court justices and judges, or to the court in general through a central staff. The number of law clerks allocated to the chief justice or judge and to the associate justices or judges of each appellate court can be found in Table 20. The number of central law staff is also indicated.

Every state has a central office that has day to day administrative responsibilities for the state courts. The head of that office, the state court administrator, is usually an appointee of the state judiciary, with the chief justice or the COLR exercising the appointment authority. The administrative office's role in the budget process was described in Table 16. A more comprehensive description of what administrative offices do is provided in Table 21, which indicates the nature of the responsibility of the administrative office for 25 functional areas relating to a state's trial court. The first column of the table reports the number of staff in the

administrative office, expressed as full-time equivalent positions. The size of the administrative office staff reflects both the degree to which there is centralized coordination of key functions and the allocation of some substantial responsibilities, such as juvenile probation, to the administrative office of the courts.

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Table 12. Governance of the Judicial Branch

Legend: SC=Court of last resort; N/S=Not stated

| | Who is the head of the judicial branch? | | | What authority establishes the head of the judicial branch? | | | Source of authority |
|----------------------|---|----|----------------|---|---------|----------------|--|
| | SC Chief Justice | SC | Other | Constitution | Statute | Other | |
| Alabama | ■ | | | ■ | | | AL Const. AM 328 § 6.10 |
| Alaska | ■ | | | ■ | | | AK Const. Art IV § 16 |
| Arizona | ■ | | | ■ | | | AZ Const. Art VI § 3 |
| Arkansas | | ■ | | ■ | | | AR Const. Amend. 80 |
| California | ■ | | | ■ | | | CA Const. Art VI § 6 |
| Colorado | ■ | | | ■ | | | CO Const. Art VI § 5 |
| Connecticut | ■ | | | | ■ | | C.G.S. § 51-1b(a) |
| Delaware | ■ | | | ■ | | | DE Const. Art IV § 13 |
| District of Columbia | ■ | | | | ■ | | DC § 11-1701 |
| Florida | ■ | | | ■ | | | FL Const. Art V § 2 |
| Georgia | | ■ | | ■ | | | GA Const. Art 6 § 9 Para. 1 |
| Hawaii | ■ | | | ■ | | | HI Const. Art VI § 6 |
| Idaho | | ■ | | ■ | | | ID Const. Art 5 § 2 |
| Illinois | ■ | | | ■ | | | IL Const. Art 6 § 16 |
| Indiana | ■ | | | ■ | ■ | | IN Const. Art VII § 3 |
| Iowa | | ■ | | ■ | ■ | | IA Const. Art V § 4; Iowa Code § 602.1201 |
| Kansas | ■ | | | ■ | ■ | | KS Const. Art III § 1; K.S. § 20101 |
| Kentucky | ■ | | | ■ | | | KY Const. § 110(5)(b) |
| Louisiana | ■ | | | ■ | | | LA Const. Art V § 6 |
| Maine | ■ | | | | ■ | | 4 M.R.S.A. § 1 |
| Maryland | ■ | | | ■ | | | MD Const. Art IV § 18B |
| Massachusetts | | ■ | | ■ | ■ | | MGL C.h. 211 § 3; MA Const. Pt. I, Art 29 |
| Michigan | | ■ | | ■ | | | MI Const. Art VI § 3-4 |
| Minnesota | ■ | | | | ■ | | MS § 2.724 Subd. 4 |
| Mississippi | ■ | | | | ■ | | MSC § 9-3-61; V9-3-39; § 9-21-3 |
| Missouri | | ■ | | ■ | | | MO Const. Art V § 4 |
| Montana | | ■ | | ■ | | | MT Const. Art VII § 2 |
| Nebraska | ■ | | | ■ | | | NE Const. Art V § 1 |
| Nevada | ■ | | | ■ | | | NV Const. Art VI § 19 |
| New Hampshire | ■ | | | ■ | | | NH Const. Pt. 2 Art. 73-A |
| New Jersey | ■ | | | ■ | | | NJ Const. Art 6 § 7 Pt. 1 |
| New Mexico | | ■ | | ■ | | | NM Const. Art 6 § 3 |
| New York | ■ | | | ■ | | | NY Const. Art VI § 28 |
| North Carolina | | ■ | | ■ | ■ | | NC Const. Art IV § 13; NCGS § 7A 33, 34 |
| North Dakota | ■ | | | ■ | ■ | | ND Const. Art VI, 33; NDCC § 27-02-05.1 |
| Ohio | ■ | | | ■ | | | OH Const. Art IV § 5 |
| Oklahoma | ■ | | | ■ | | | OK Const. Art 7 § 6 |
| Oregon | ■ | | | | ■ | | ORS § 1.002 (1) |
| Pennsylvania | | ■ | | ■ | | | PA Const. Art V § 10; 42 Pa.C.S. Sec. 1701 |
| Puerto Rico | ■ | | | ■ | ■ | | N/S |
| Rhode Island | ■ | | | | ■ | | RI GL § 8-15-2 |
| South Carolina | ■ | | | ■ | | | SC Const. Art V § 4 |
| South Dakota | ■ | | | ■ | | | SD Const. Art V § 11 |
| Tennessee | | ■ | | | ■ | ■ ¹ | TCA 16-3-501-502; S. Ct. R. 11 |
| Texas | | ■ | | ■ | ■ | | TX Const. Art 5 § 31; TX Gov't Code Ch. 74 |
| Utah | | | ■ ² | ■ | | | UT Const. Art 8 § 12 |
| Vermont | | ■ | | ■ | | | VT Const. Ch. II § 30 |
| Virginia | ■ | | | ■ | | | VA Const. Art VI § 4 |
| Washington | | ■ | | ■ | | | WA Const. Art 4 § 1 |
| West Virginia | ■ | | | ■ | | | WV Const. Art 8 § 3 |
| Wisconsin | ■ | | | ■ | | | WI Const. Art 7 § 4 (3) |
| Wyoming | ■ | | | ■ | ■ | | WY Const. Art 5 § 2; W.S. § 52-102 |

Table 12. Governance of the Judicial Branch**FOOTNOTES:****Tennessee:**

¹ Judicial branch rule is the other authority that establishes the head of the judicial branch.

Utah:

² The Judicial Council is the head of the judicial branch.

Table 13. The Source of Rule Making Authority of Courts of Last Resort by Specific Areas

Legend: L=Legislature; C=Constitution

| | Rules of: | | | | | | | |
|----------------------|----------------------|-------------------|-------------------|--------------------|-------------------|-----------------------|-------------------|---------------------------------------|
| | Court administration | | Procedure | | | Discipline | | Trial court costs and fees assessment |
| | Appellate | Trial | Appellate | Civil and Criminal | Evidence | Judicial | Attorney | |
| Alabama | C | C | C | L/C | L/C | L/C | C | L/C ¹ |
| Alaska | C | C | C ² | C | C | L/C ³ | C | L/C ⁴ |
| Arizona | L/C | L/C | C | C | C | C | C | L/C ⁵ |
| Arkansas | C | C | C | C | L/C | C | C | L |
| California | L ⁶ | L ⁶ | L/C ⁷ | L ⁸ | C | C | L/C | L |
| Colorado | C | C ⁹ | C | C | C | C | C | L |
| Connecticut | L/C ¹⁰ | 11,12 | C ¹³ | 14 | C | L ¹⁵ | 16 | L ¹⁷ |
| Delaware | C | C | L/C | C | C | C | C | L/C ¹⁸ |
| District of Columbia | L | 19 | L | L ²⁰ | 21 | 22 | L | 23 |
| Florida | C | C | C | C | C | L ²⁴ | C | L |
| Georgia | C ²⁵ | C ²⁶ | L/C ²⁷ | L/C | L | C | C | L |
| Hawaii | C | C | C | C | L | C | C | L ²⁸ |
| Idaho | L/C | L/C | L/C | L/C | L/C | C | L | L |
| Illinois | C | C ²⁹ | L/C ³⁰ | L ³⁰ | L/C | C | C | L |
| Indiana | C | C | C | L/C | L/C | C | C | L |
| Iowa | L/C | L/C | L/C ³¹ | L ³¹ | L | L/C | L/C | L |
| Kansas | L/C | L/C | L/C | L/C ³² | L | C | L | L |
| Kentucky | C | C | C | C | C | C | C | L ³³ |
| Louisiana | L/C ³⁴ | L/C ³⁴ | L/C ³⁵ | L/C ³⁵ | C | C | C | L/C ³⁶ |
| Maine | L/C | L/C | L/C | L/C | L/C | L/C | L/C | L |
| Maryland | L/C | L/C | L/C | L/C | C | L/C | L | L/C ³⁷ |
| Massachusetts | C | L/C ³⁸ | L/C ³⁹ | L/C ³⁹ | L/C ³⁹ | L/C ⁴⁰ | C | L ⁴¹ |
| Michigan | C | C | C | C | C | C | C | L |
| Minnesota | C | C | C | L/C | L | L/C | L/C | L |
| Mississippi | C | C | C ⁴² | C | C | C | C | L |
| Missouri | C | C | L/C ⁴³ | L/C ⁴³ | C | L ⁴⁴ | C | L |
| Montana | C | C | C | C | C | C | C | L |
| Nebraska | C | C | C | C | C | C | C | L |
| Nevada | C | C | C | L/C | C | L | L | L/C ⁴⁵ |
| New Hampshire | C | C | C | C | C | C | L/C | L/C |
| New Jersey | C | C | C | C | C | L/C | C | L/C ⁴⁶ |
| New Mexico | C | C | C | C | C | C | C | L |
| New York | C ⁴⁷ | C | L ⁴⁸ | L | L | L ⁴⁹ | L | L |
| North Carolina | C | L/C ⁵⁰ | C | L/C ⁵¹ | L | L/C ⁵² | L/C ⁵³ | L |
| North Dakota | C | C | C | C | C | L | L | L |
| Ohio | C ⁵⁴ | C ⁵⁴ | C | C | C | C | C | L |
| Oklahoma | L/C | L/C | L/C | L/C | L/C | L/C | L/C | L |
| Oregon | L | C | L | L ⁵⁵ | L | L | L ⁵⁶ | L ⁵⁷ |
| Pennsylvania | L/C | L/C | L/C | L/C | C | C | C | L/C ⁵⁸ |
| Puerto Rico | C | C | L | L/C ⁵⁹ | L/C | C | C | L |
| Rhode Island | L | L | L | L | L | L | L | L |
| South Carolina | L/C | L/C | L/C | L/C ⁶⁰ | L/C | L/C | L/C | L |
| South Dakota | L/C | L/C | L/C | L/C ⁶¹ | L/C | C | C | L |
| Tennessee | L ⁶² | L/C ⁶³ | L/C ⁶⁴ | L/C ⁶⁵ | L/C | L/C ⁶⁶ | L | L/C ⁶⁷ |
| Texas | L/C | L/C | L | L/C | L | C | L | L |
| Utah | C ⁶⁸ | C | L/C ⁶⁹ | L/C ⁶⁹ | C | L/C ⁷⁰ | C | L |
| Vermont | C | C | C | C | C | C | C | L |
| Virginia | L/C ⁷¹ | L/C ⁷¹ | L/C ⁷² | L/C ⁷² | L/C | L ⁷³ | L ⁷⁴ | L ⁷⁵ |
| Washington | L/C | L/C | L/C | L/C | L/C | C | L/C | L/C |
| West Virginia | L/C | L/C | L/C | L/C ⁷⁶ | L/C | C | L/C | L |
| Wisconsin | C | C | L/C ⁷⁸ | L/C ⁷⁷ | L | L/C ^{78, 79} | L/C | L ⁸⁰ |
| Wyoming | L/C | C | L/C | L/C | L/C | C | L | L/C ⁸¹ |

Table 13. The Source of Rule Making Authority of Courts of Last Resort by Specific Areas

FOOTNOTES:

Alabama:

¹ Although court costs are generally assessed pursuant to legislation, the Supreme Court has established fees by rule in certain instances (i.e., transcript fees, appellate docket fees, docket fees for post-conviction petitions, etc.).

Alaska:

² The Supreme Court has the authority to adopt rules governing practice and procedures in state courts. The legislature has the power to amend rules, but not adopt them.

³ The constitution specifies the powers and duties of the Judicial Conduct Commission, and the basis for judicial disqualification is established by law. The Code of Judicial Conduct is promulgated by the Supreme Court.

⁴ The legislature can set court fees and surcharges for filing and court use; the Supreme Court sets awards for attorneys' fees and costs.

Arizona:

⁵ The Supreme Court establishes all rules, but does not establish fees unless given statutory authority.

California:

⁶ The Judicial Council also has authority.

⁷ The Judicial Council also has policy setting and rule making authority. The Council's rules must be consistent with any statutes passed by the legislature. The court may adopt rules for its own procedures not inconsistent with the rules of the Council or statute.

⁸ The legislature is the higher authority. The Judicial Council rules must not be inconsistent with statute.

Colorado:

⁹ Rules are established by the Supreme Court; however, some may be modified at the district level.

Connecticut:

¹⁰ The appellate courts do not have formal "rules of administration." The Supreme Court and the Appellate Court are served by the same administrative offices and by one appellate clerk's office. There is one chief administrative judge for the appellate courts.

¹¹ The Superior Court does not have formal "rules of administration." The chief court administrator directly, and through the Court Operations' Division, issues administrative policies for the trial courts and the judicial branch.

¹² For the Superior Court, statutes designate the powers and duties of the chief court administrator who serves at the pleasure of the Chief Justice of the Supreme Court.

¹³ Both the Supreme Court and the Appellate Court have input into the *Rules of Appellate Procedure*.

¹⁴ Superior Court judges establish the rules of civil and criminal procedure.

¹⁵ Connecticut has adopted a Code of Judicial Conduct. There also exists a Judicial Review Council within the legislative branch that examines the conduct of judicial officers.

¹⁶ The Superior Court has adopted Rules of Professional Conduct for attorneys. Additionally, the courts have adopted Grievance Rules to be followed for the discipline of attorneys.

¹⁷ Court costs are assessed by the courts. The Superior Court has the ability to charge fees in connection with the regulation of attorneys.

Delaware:

¹⁸ Court costs and fees are set by statute for Justice of the Peace courts. All other court fees and costs are set by individual court rules.

District of Columbia:

¹⁹ Trial courts make their own rules of administration under statutory authority provided to them. Some rules are also based on inherent authority.

²⁰ The trial court establishes its own rules of civil procedure. If there is a conflict with federal rules, the Appeals Court establishes rules.

²¹ Trial courts establish their own rules of evidence under statutory authority provided to them.

²² The DC Commission on Judicial Disabilities and Tenure was created as a part of the Home Rule Charter for the District of Columbia. The responsibility for judicial discipline resides with the Commission.

²³ Trial courts establish their own rules concerning trial court costs and fees under the statutory authority provided to them.

Florida:

²⁴ The Judicial Qualifications Commission, established by the Florida constitution, adopts rules, such as its proceedings on judicial discipline. The Supreme Court establishes the Code of Judicial Conduct.

Georgia:

²⁵ This also applies to the Court of Appeals.

²⁶ The advice of the Trial Court Council is also a source of authority.

²⁷ The Supreme Court shall have full power and authority to make all rules. It may, by rules, provide and declare when the court shall sit, how its minutes shall be kept, and how the cases on its dockets shall be apportioned; and it generally may make all regulations as to practice and procedure.

Hawaii:

²⁸ The legislature has given the Supreme Court the authority to modify and add to some statutory fees.

Illinois:

²⁹ Supreme Court Rule 21 (b) allows Chief Judges to enter orders relating to the assignment of judges, times of holding court, etc. Trial judges in each circuit also adopt local administrative rules, usually by a majority vote.

³⁰ The Supreme Court has power to make rules of pleading, practice, and procedure for the Circuit, Appellate, and Supreme courts. Subject to the rules of the Supreme Court, the Circuit and Appellate courts may make rules regulating their dockets, calendars, and business. General rules apply to both civil and criminal proceedings. The rules on proceedings in trial courts, together with the Civil Practice Law and the Code of Criminal Procedure, govern all proceedings in the trial court, except those regulated by statute. The rules on appeals govern all appeals.

Iowa:

³¹ The Iowa constitution makes a general jurisdictional statement granting to the Supreme Court "supervisory and administrative control over all inferior judicial tribunals." The legislature codified what that meant to include procedural rule-making authority and disciplinary power over judges and attorneys.

Kansas:

³² The legislature creates rules for civil procedure; the Supreme Court makes case law.

Kentucky:

³³ The legislature sets fines and most fees. The Supreme Court can set filing fees, but must notify the legislature when changing them.

Louisiana:

³⁴ The legislature establishes rules of administration for the appellate courts through the enactment of statutes. The Supreme Court also has the constitutional inherent authority to establish rules of administration.

³⁵ The legislature establishes procedure through the enactment of the Louisiana Revised Statutes. Courts promulgate the Uniform Rules of Appellate Procedure sanctioned by the Supreme Court.

³⁶ The legislature has the constitutional authority to establish limits on fees and costs. However, statutes also allow the Supreme Court to establish costs and fees in certain circumstances.

Maryland:

³⁷ Both have equal power.

Massachusetts:

³⁸ Statutory rule making authority is dispersed throughout the judicial department. However, all such rules must be approved by the Supreme Judicial Court.

³⁹ It has never been determined whether procedural rule making authority ultimately resides in the courts, i.e., in the Supreme Judicial Court or in the legislature. Since the mid-1970s a cooperative relationship has developed between the judicial and legislative branches with respect to the adoption of court rules in appropriate circumstances and the enactment or repeal, as necessary, of corollary legislation.

⁴⁰ The Supreme Judicial Court has adopted, as a court rule, the Code of Judicial Conduct. The legislature has established, by statute, the Commission on Judicial Conduct to investigate allegations of judicial misconduct, including violations of the Code of Judicial Conduct. The Commission adopts its own rules subject to the approval of the Supreme Judicial Court.

⁴¹ The Supreme Judicial Court has not established court fees and costs by court rule. The legislature has, at times, established court costs and fees by statute and, at other times, has delegated such authority to judicial personnel.

Mississippi:

⁴² Under all categories, legislative enactments, which do not impede any court ordered rules, are allowed.

Missouri:

⁴³ The Missouri constitution provides that the rules of practice and procedure, with limited exceptions, may be adopted by the Supreme Court. The general assembly may amend any such rule in a bill limited to that purpose.

⁴⁴ The basis for discipline is the constitution, and the Commission on Retirement, Removal and Discipline, which is a constitutional body, investigates allegations of misconduct. The Supreme Court reviews Commission recommendations for discipline and makes the final decision. Within the constitutional language,

Table 13. The Source of Rule Making Authority of Courts of Last Resort by Specific Areas

violations of the Code of Ethics may constitute grounds for discipline, and impeachment is an alternative means of discipline.

Nevada:

⁴⁵ The court has the authority to establish rules through the adoption of court rules. The legislature has the ability to establish rules by enacting legislation concerning trial court costs and fees assessments.

New Jersey:

⁴⁶ The court has exercised authority to set costs and fees when the statute specifically gives the court that authority.

New York:

⁴⁷ Rules of administration for both the trial and appellate courts are established by the chief administrator of the courts on behalf of the Chief Judge of New York State (State Const., Art. VI, § 28). The Chief Judge has delegated back to the appellate courts the power to adopt most administrative rules for their respective courts; the chief administrator's rules predominately affect the trial courts.

⁴⁸ The power to promulgate rules of practice and procedure in the courts of the New York State Unified Court System – both trial and appellate, both civil and criminal – is placed in the legislature (State Const., Art. VI, § 30), which in turn has the power to delegate that authority to a court. The legislature has enacted a comprehensive series of practice and procedure statutes for all courts, both civil and criminal, and has also delegated, by statute, to the Court of Appeals, each appellate division, and to the chief administrator of the courts the power to promulgate additional rules of practice and procedure not inconsistent with statute. Individual trial courts retain the power to enact their own rules as long as they are consistent with statute and general rules (as set forth in Art. VI, § 30).

⁴⁹ Judicial discipline is regulated and enforced by an independent State Commission on Judicial Conduct (State Const., Art. VI, § 22).

North Carolina:

⁵⁰ The senior resident Superior Court judge and the chief District Court judge have statutory and constitutional administrative authorities over the trial courts in their districts. The Supreme Court also has supervisory authorities.

⁵¹ Authority to make rules of procedure and practice for the trial courts is constitutionally placed with the general assembly which has delegated this authority to the Supreme Court, as allowed for in the constitutional provision.

⁵² The legislature has delineated the grounds for censure or removal; the Supreme Court is authorized, by rule, to prescribe standards of judicial conduct. The legislature has also established the Judicial Standards Commission to investigate allegations of judicial misconduct and to make recommendations for disciplinary action to the Supreme Court.

⁵³ The NC State Bar, established by statute, makes rules regarding attorney discipline that are subject to certain review by the Chief Justice of the Supreme Court.

Ohio:

⁵⁴ The legislature creates the courts and boundaries, creates judgeships, and makes other statutory provisions. The rules of operation are promulgated by the Supreme Court.

Oregon:

⁵⁵ Although there is a Council of Court Procedures that makes changes to the Oregon Rules of Civil Procedure, the legislature amends them before they go into effect, as they are part of the statutes.

⁵⁶ Some requirements are statutory, e.g., minimum standards. The actual authority is with the Supreme Court (through state bar association committees usually) to approve the detailed rules and changes.

⁵⁷ Filing fees are statutory. Fees for certain incidental charges (e.g., costs of duplicating tapes, test costs, etc.) are by Chief Justice Order pursuant to statutory authority.

Pennsylvania:

⁵⁸ The Supreme Court enacts these rules to ensure the efficient and effective administration of justice. In general, the legislature enacts cost and fee legislation to implement newly passed initiatives.

Puerto Rico:

⁵⁹ The constitution authorizes the Supreme Court to establish the rules. The rules should be submitted to the legislature for approval.

South Carolina:

⁶⁰ SC Code § 14-3-950 requires rules governing practice and procedure in all courts to be submitted to the judiciary committees of both houses. They become effective 90 days after submission unless disapproved by 3/5 of the members of each house voting.

South Dakota:

⁶¹ The Supreme Court has authority to adopt rules of practice and procedure, which may then be amended by the legislature.

Tennessee:

⁶² This also applies to intermediate courts.

⁶³ The legislature authorizes the courts to establish rules of trial court administration.

⁶⁴ By legislative authority, the Supreme Court appoints an advisory Commission on Rules of Appellate Procedure. Revisions are adopted by court order and sent to the legislature for approval. The Supreme Court, Court of Appeals, and Court of Criminal Appeals may make and amend rules governing practice not inconsistent with the Commission's rules.

⁶⁵ An advisory committee, statutorily created but appointed by the Supreme Court, recommends or submits revisions to the Supreme Court. The court then adopts them by court order and introduces them to the legislature for joint resolution passage.

⁶⁶ The Legislature gives the authority to the Supreme Court.

⁶⁷ The legislature has this authority by statute and court rules.

Utah:

⁶⁸ The rules of administration are the exclusive responsibility of the Utah Judicial Council.

⁶⁹ The Supreme Court can adopt and amend rules of procedure. The legislature can amend rules of procedure by a 2/3 majority of both houses.

⁷⁰ The Supreme Court adopts and amends the Code of Judicial Conduct. The legislature provides for the composition and procedures of the Judicial Conduct Commission. The Supreme Court reviews the orders of the Judicial Conduct Commission.

Virginia:

⁷¹ The court can make rules not inconsistent with legislative enactments.

⁷² The court can establish rules that do not conflict with statutory provisions.

⁷³ The Supreme Court promulgates canons of judicial discipline.

⁷⁴ The Supreme Court can promulgate only rules that are consistent with enactments of the legislature.

⁷⁵ The legislature has delegated to the Supreme Court the authority to set the amount for certain offenses if they are "pre-paid" before trial.

West Virginia:

⁷⁶ The legislature may establish rules of civil and criminal procedure, but the court may supercede these rules.

Wisconsin:

⁷⁷ The legislature and the Supreme Court have independent and complementary roles (see section 751.12 Wisconsin statutes).

⁷⁸ The rules do not overlap. The legislature establishes the procedures for investigation, and the Supreme Court establishes the Code of Judicial Conduct.

⁷⁹ The legislature makes its rules of judicial discipline under constitutional authority. The Supreme Court makes its rules of judicial discipline under constitutional and inherent authority.

⁸⁰ Rules concerning trial court costs and fee assessments are the exclusive domain of the legislature with the exception of the hourly rate of court appointed counsel, which is set by Supreme Court rule.

Wyoming:

⁸¹ What the legislature prescribes in terms of fees and costs governs; however, absent legislation preemption, the Supreme Court has established court costs.

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|--------------------|---|--|------------------------------------|------------------|---|
| Alabama | Rules Committees | Procedural rules | §6.11, Amend #328, AL Const. 1901 | 1975 | Supreme Court |
| | Judicial Conference | Recommendations on administration of justice | §12-8-1, Code of ALA (1975) | 1961 | ~ |
| Alaska | Alaska Bar Association | Attorney ethics | AK Rules of Court, Statutes | 1960 | Supreme Court |
| | | CLE | AK Rules of Court, Statutes | 1981 | Supreme Court |
| | | Gender fairness | AK Rules of Court, Statutes | 1993 | Supreme Court |
| | Judicial Council | Collect and analyze statistics | Art. 4 §8, AK Const. | 1959 | ~ |
| | Rules Committees | Procedural rules | §4.15 AK Const., Supreme Ct. Order | 1959 | Supreme Court |
| Arizona | Disciplinary Commission | Attorney ethics | AZ Rules of Court, AZ Constitution | 1999 | Chief Justice |
| | Judicial Council | Budget preparation, recommendations to legislature | AZ Code of Judicial Administration | 1990 | Chief Justice |
| | Mandatory continuing legal education | CLE | AZ Rules of Court | 1989 | State Bar of AZ |
| | Commission on Minorities | Minority fairness | AZ Code of Judicial Administration | 1990 | Judicial Council |
| | Comm. on Ltd Jurisdiction Courts, Comm. on Superior Court | Procedural rules | AZ Code of Judicial Administration | 1990 | Judicial Council |
| | Domestic Relations Committee | Procedural rules | §25.323.02, AZ Rev. Statutes | 2002 | Chief Justice |
| Arkansas | Comm. on Professional Conduct | Attorney ethics | Supreme Court rule | 1965 | Supreme Court |
| | Office of Professional Programs | CLE | Supreme Court rule | 1988 | Supreme Court |
| | Several Supreme Ct. committees | Procedural rules | Supreme Court rules | Varies | Supreme Court |
| | Access to Justice Commission | Legal services | Supreme Court rule | 2004 | Supreme Court |
| California | Work group | Budget prep. | Chief Justice | 2004 | ~ |
| | Judicial Council Advisory Comm. on Access and Fairness | Gender and minority fairness | CA Constitution | 1987 | Judicial Council |
| | Rules and Projects Committees | Procedural rules | Judicial Council | Varies | Judicial Council |
| Colorado | Attorney Regulation Counsel | Attorney ethics | C.R.C.P. Rule 251.3 | 1999 | Supreme Court |
| | Board of Cont. Legal & Judicial Ed | CLE | C.R.C.P. Rule 260 | 1978 | Supreme Court |
| | Judicial Ethics Advisory Board | Provides advisory opinions regarding compliance | Chief Justice Directive 94-01 | 1994 | Chief Justice & State Court Administrator |
| | Judicial Advisory Committee | Improve judicial system | C.I.D. 85-30 | 1985 | Chief Justice |
| | Court Improvement Committee | Dependency & neglect case processing improvements | Federally funded grant | 1995 | Chief Justice |
| | Commission on Families | Case processing improvements | Federally funded grant | 1999 | Chief Justice |
| Connecticut | Statewide Grievance Committee | Attorney ethics | Statute/ Court practice book | 1986 | ~ |
| | Executive Committee | Personnel policies | Judges of the Superior Court | 1978 | ~ |
| | Rules Committee | Procedural rules | Judges of the Superior Court | pre 1978 | ~ |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|-----------------------------|---|--|----------------------------------|-------------------------|--------------------|
| Delaware | Office of Disciplinary Council | Attorney ethics | Supreme Court rule | 1984 | Supreme Court |
| | Comm. on Continuing Legal Ed. | CLE | Supreme Court rule | 1987 | Supreme Court |
| | Supreme Court Legislative Comm. | Recommendations to the legislature | Chief Justice | 2004 | Supreme Court |
| District of Columbia | Office of Bar Counsel | Attorney ethics | Statute | 1972 | Court of Appeals |
| | Standing Comm. on Fairness & Access | Gender fairness, minority fairness | Order | 1997 | Joint Committee |
| Florida | Trial Court Budget Commission | Budget prep. | Supreme Court | 2000 | Chief Justice |
| | District Court Budget Commission | Budget prep. | Administrative order | 2000 | Chief Justice |
| | Standing Comm. on Fairness and Diversity | Minority fairness | Administrative order | 2004 | Chief Justice |
| Georgia | Institute of Continuing Legal Education | CLE | Supreme Court rule | 1976 | Supreme Court |
| | Georgia Commission on Access and Fairness | Gender and minority fairness | Supreme Court rule | 2004 ¹ | Supreme Court |
| | Rules Committees | Procedural rules | Constitution | N/S | Supreme Court |
| Hawaii | Disciplinary Board & Office of Disciplinary Counsel | Attorney ethics | Supreme Court rule | 1929 | ~ |
| | Committee on Equality and Access to the Courts | Access, gender fairness, minority fairness | Supreme Court order | 1989 | Supreme Court |
| | Committee on Court Interpreters | Minority fairness | Supreme Court order | 1995 | Supreme Court |
| | Rules committees | Procedural rules | Chief Justice orders | Varies | Supreme Court |
| | Statewide Policy Advisory Comm. | Recommendations to the legislature | Chief Justice Memorandum | 1996 | Chief Justice |
| Idaho | Administrative Conference | Budget prep. | Supreme Court Appointment | N/S | Supreme Court |
| | Judicial Education | CLE | Supreme Court order | 1994 | Supreme Court |
| | Fairness & Equality Commission | Gender fairness, minority fairness | Supreme Court order | 1995 | Supreme Court |
| | Administrative Conference | Personnel policies, recommendations to the legislature | Supreme Court appointment | N/S | Supreme Court |
| | Supreme Court Advisory Comm. | Procedural rules | Supreme Court Order | N/S | Supreme Court |
| Illinois | Attorney Registration & Disciplinary Commission | Attorney ethics | Rule-making | 1973 | Supreme Court |
| | Capital Litigation Trial Bar | CLE | Supreme Court rule/order | 2001 | Supreme Court |
| | Supreme Court Rules Committee Article V Comm. of Chief Judges | Procedural rules | Supreme Court Rules | 1981 | Supreme Court |
| Indiana | Disciplinary Commission | Attorney ethics | Admission and Discipline Rule 23 | 1949 | Supreme Court |
| | Commission for Continuing CLE | CLE | Admission and Discipline Rule 29 | 1986 | Supreme Court |
| | Race & Gender Fairness Commission | Gender fairness, minority fairness | IN Admin. Rule 4 (C) | 1999 | Supreme Court |
| | Supreme Court Committee on Rules of Practice and Procedure | Procedural rules | IN Trial Rule 80 | 1972 | Supreme Court |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|----------------------|--|--|---|------------------|----------------------------------|
| Iowa | Attorney Disciplinary Board | Attorney ethics | Supreme Court | 1964 | Supreme Court |
| | Grievance Commission | Attorney ethics | Supreme Court | 1974 | Supreme Court |
| | Comm. on Continuing Legal Ed. | CLE | Court rule | 1975 | Supreme Court |
| | Judicial Council | Personnel policies | Court rule & statutory | 1972 | Supreme Court |
| | Rules committees | Procedural rules | Court rule | Varies | Supreme Court |
| Kansas | Disciplinary Administrator | Attorney ethics | Supreme Court rule | 1972 | Supreme Court |
| | CLE Commission | CLE | Supreme Court rule | 1985 | Supreme Court |
| Kentucky | ~ | ~ | ~ | ~ | ~ |
| Louisiana | Attorney Disciplinary Board | Attorney ethics | LASC Rule XIX | 1990 | Supreme Court |
| | Judicial Budgetary Control Board | Budget prep. | LASC Rules, Part G, §4 | 1977 | Supreme Court |
| | Mandatory CLE Committee | CLE | LASC Rule XXX | 1992 | Supreme Court |
| | Judicial Council | Collect and analyze statistics and make recommendations to the legislature | LASC Rule XXII | 1975 | Supreme Court |
| | Task Force on Women in the Courts | Gender fairness | LASC order | 1990 | Supreme Court |
| | Task Force on Racial and Ethnic Fairness in the Courts | Minority fairness | LASC order | 1993 | Supreme Court |
| | Human Resource Comm. and Human Resource Advisory Comm. | Personnel policies | LASC order | 1994 | Supreme Court |
| Maine | NR | NR | NR | NR | NR |
| Maryland | Attorney Grievance Committee | Attorney ethics | Rule | N/S | Court of Appeals |
| | Rules Committee | Procedural rules | Rule | N/S | Court of Appeals |
| Massachusetts | Board of Bar Overseers | Attorney ethics | Supreme Judicial Court Rule 4:1 | 1974 | ~ |
| | Gender Equality Advisory Board | Gender fairness | CJ for Administration & Mgmt inherent statutory authority | 1989 | Chief Justice for Admin. & Mgmt. |
| | Racial and Ethnic Access and Fairness Board | Minority fairness | CJ for Administration & Mgmt inherent statutory authority | 1978 | Chief Justice for Admin. & Mgmt. |
| | Advisory Committee on Personnel Standards | Personnel policies | Statute G.L. 211B, §8 | 1978 | Chief Justice for Admin. & Mgmt. |
| | Standing Advisory Committee on the Rules of Civil Procedure | Procedural rules | Supreme Judicial Court inherent rule-making authority | 1974 | Supreme Judicial Court |
| | Standing Advisory Committee on the Rules of Criminal Procedure | Procedural rules | Supreme Judicial Court inherent rule-making authority | 1979 | Supreme Judicial Court |
| Michigan | State Drug Treatment Court Advisory Committee | Monitor drug treatment courts & programs | Statute 600.1082 | 2005 | Legislature, Supreme Court |
| Minnesota | Lawyers Professional Responsibility Board | Attorney ethics | Court rule | Pre 1970 | Supreme Court |
| | Conference of Chief Judges; Court of Appeals; Supreme Court | Budget prep. | M.S. 2.724 | 1978/1986 | Chief Justice |
| | Board of Continuing Legal Ed. | CLE | Court rule | 1973 | Supreme Court |
| | Gender Fairness Committee | Gender fairness | Supreme Court order | 1987 | Supreme Court |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|---|--|---|-------------------------------------|-------------------------|--------------------|
| Minnesota (continued) | Racial Fairness Committee | Minority fairness | Supreme Court order | 1990 | Supreme Court |
| | Conferences of Chief Judges; Supreme Court | Personnel policies | M.S. 480.181 | 1978/1989 | Supreme Court |
| | Ind. committees for specific areas | Procedural rules | 480.05; 480.059; 480.0591; 480.0595 | 1970s | Supreme Court |
| | Lawyer Trust Account Board, Legal Services Advisory Committee | Funding for civil legal services | M.S. 480.242 | 1983 | Supreme Court |
| Mississippi | Commission on Professional Responsibility | Attorney ethics | Supreme Court rule | N/S | N/S |
| | MS Commission on Continuing Legal Education | CLE | Supreme Court rule | N/S | N/S |
| | Gender Fairness Task Force | Gender fairness | Supreme Court order | N/S | N/S |
| | Rules Advisory Committee | Procedural rules | Supreme Court order | N/S | N/S |
| | Judicial Advisory Study Commission | Recommendations to the legislature | Statute | N/S | N/S |
| Missouri | Advisory Committee/ Regional Disciplinary Committees | Attorney ethics | Supreme Court Rule 5 | 1974 | Supreme Court |
| | Circuit Court Budget Committee | Budget preparation and personnel policies | Supreme Court Rule 7 | 1978 | Supreme Court |
| | Coordinating Commission for Judicial Education | CLE | Supreme Court order | 1998 | Supreme Court |
| | Commission on Judicial Resources | Collect and analyze statistics | Section 476.415, RSMo | 1989 | Supreme Court |
| | Supreme Court Civil Rules Comm. | Procedural rules | Supreme Court | 1994 | ² |
| | Committee on Procedure in Criminal Cases | Procedural rules | Supreme Court | 2000 | ² |
| Montana | Commission on Code of Judicial Conduct | Attorney ethics | Supreme Court order | 2003 | Supreme Court |
| | Commission on Continuing Legal Education | CLE | Supreme Court order | 1982 | Supreme Court |
| | Gender Fairness Commission | Gender fairness | Supreme Court order | 1990 | Supreme Court |
| | Equal Justice Task Force | Minority fairness | Supreme Court order | 2000 | Supreme Court |
| | Advisory Commission on Rules of Civil and Appellate Procedure | Procedural rules | Supreme Court order | 1963 | Supreme Court |
| | Commission on Rules of Evidence | Procedural rules | Supreme Court order | 1974 | Supreme Court |
| | Uniform District Court Rules Commission | Procedural rules | Supreme Court order | 1961 | Supreme Court |
| | Civil Jury Instructions Guidelines Commission | Jury instructions | Supreme Court order | N/S | Supreme Court |
| | Criminal Jury Instructions Commission | Jury instructions | Supreme Court order | 1976 | Supreme Court |
| Commission on Self-Represented Litigants | Access to justice | Supreme Court order | 2000 | Supreme Court | |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|-------------------------------|---|------------------------------------|---|------------------|--------------------------------|
| Montana (continued) | Commission on Courts of Limited Jurisdiction | Training | Supreme Court order | 1974 | Supreme Court |
| | Commission on Technology | Tech. standards | Supreme Court order | 2002 | Supreme Court |
| | District Court Council | Administration | Statute | 2001 | Supreme Court |
| Nebraska | Judicial Ethics Committee | Attorney ethics | Supreme Court rule | N/S | Supreme Court |
| | Gender Fairness Implementation Committee | Gender fairness | Supreme Court order | N/S | Bar Association, Supreme Court |
| | Minority and Justice Implementation Committee | Minority fairness | Supreme Court order | N/S | Supreme Court |
| Nevada | CLE Board | CLE | Court Rule 207 et. seq. | 1982 | ~ |
| | Judicial Council | Recommendations to the legislature | Court Rule 9 | 1977 | Supreme Court |
| New Hampshire | Supreme Court Committee on Professional Conduct | Attorney ethics | Statute, NH Constitution | 1974 | Supreme Court |
| | Minimum Continuing Legal Education Board | CLE | NH Constitution | 1991 | Supreme Court |
| | Supreme Court Comm. on Rules | Procedural rules | NH Constitution | 1985 | Supreme Court |
| New Jersey | Disciplinary Oversight Committee, Office of Attorney Ethics, Disciplinary Review Board, District Ethics Committees, and District Fee Arbitration Committees | Attorney ethics | Court Rule 1:20, et. seq./NJ Constitution | 1978 | Supreme Court |
| | Committee on Women in the Courts | Gender fairness | Supreme Court standing committee | 1983 | Supreme Court |
| | Committee on Judicial Salaries and Pensions | Judicial salaries | Supreme Court standing committee | 1976 | Supreme Court |
| | Committee on Minority Concerns | Minority fairness | Supreme Court standing committee | 1985 | Supreme Court |
| | Rules Committees | Procedural rules | Supreme Court standing committees | N/S | Supreme Court |
| New Mexico | Disciplinary Board, Code of Professional Conduct Committee | Attorney ethics | N/S | N/S | Supreme Court |
| | Budget Committee | Budget preparation | N/S | 1998 | Supreme Court |
| | Judicial Continuing Legal Education Committee, Judicial Education and Training Advisory Committee, and Minimum Continuing Legal Education Board | CLE | N/S | N/S | Supreme Court |
| | Judicial Branch Personnel Grievance Committee and Judicial Branch Personnel Rules Committee | Personnel policies | N/S | N/S | Supreme Court |
| | Rules Committees | Procedural rules | N/S | N/S | Supreme Court |
| New York | Grievance Committees | Attorney ethics | Statute | 1977 | N/S |
| | CLE Board | CLE | 22NYCRR§1500.3 | 1997 | Admin. Board |
| | NYS Judicial Committee on Women in the Courts | Gender fairness | N/S | 1986 | Chief Judge |
| | Franklin H. Williams Commission on Minorities | Minority fairness | N/S | 1991 | Chief Judge |
| | Administrative Board | Procedural rules | Constitution Article 6, §28 | 1977 | N/S |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|--|---|------------------------------------|---|------------------|---------------------------------|
| New York (continued) | Advisory Committee on Judicial Ethics | Judicial ethics | Judiciary Law §212 (2) (1) | N/S | Chief Admin. Judge |
| | Advisory Committees | Recommendations to the legislature | Judiciary Law §212 (1) (q) | Varies | Chief Admin. Judge |
| | Housing Court Advisory Council | Judicial qualification | NYCCCA §110[g] | 1973 | Chief Admin. Judge |
| | Judicial Hearing Officer Selection Advisory Committees | Judicial qualification | NYCCCA §122 | 1984 | Chief Admin. Judge |
| | Permanent Commission on Justice for Children | Children's issues | N/S | 1988 | Chief Judge |
| | Parent Education Advisory Board | Education | N/S | 2001 | Chief Judge |
| North Carolina | Chief Justice's Committee on Professionalism | Attorney ethics | Supreme Court rule | 1998 | Supreme Court, state bar |
| | Judicial Council | Recommendations to the legislature | Statute | 1999 | Chief Justice |
| North Dakota | Education Commission | CLE | N/S | 1994 | Supreme Court |
| | Personnel Policy Board | Personnel policies | N/S | 1995 | Supreme Court |
| | Joint Procedure Committee | Procedural rules | N/S | 1978 | Supreme Court |
| Ohio | Supreme Court Commission on Continuing Legal Education | CLE | Rules for the government of the bar | 1988 | Supreme Court |
| | Supreme Court Rules Advisory Committee | Procedural rules | Rules for the government of the bar | 1990 | Supreme Court |
| Oklahoma | ~ | ~ | ~ | ~ | ~ |
| Oregon | Professional Responsibility Board/ Bar Board of Governors | Attorney ethics | ORS 9.490 et seq. | 1983 | Bar Board of Gov. Supreme Court |
| | MCLE Committee | CLE | MCLE rules and regulations | 1987 | Bar Board of Gov. Supreme Court |
| | Access to Justice for All Committee | Gender fairness, racial fairness | Chief Justice order | 1997 | Chief Justice, Court Admin. |
| | Council on Court Procedures | Procedural rules | ORS 1.725 | 1993 | Presiding judge |
| | Uniform Trial Court Rules Comm. | Procedural rules | ORS 1.002, 1.006, Chief Justice order | 1993 | Chief Justice |
| | Local Criminal Justice Advisory Councils | Criminal law procedure | ORS 1.851 | 1993 | ~ |
| | Local Public Safety Coordinating Councils | Community corrections | ORS 423.560 | 1995 | ~ |
| | Family Law Advisory Comm. | Family law | ORS 3.436 | 1997 | Court Admin. |
| Oregon Bench and Bar Commission of Professionalism | Professionalism | Chief Justice order | 1994 | | |
| Pennsylvania | Disciplinary Board of the Supreme Court | Attorney ethics | PA Const. Art. V Sec. 10; Rules of Disciplinary Enforcement | 1972 | Supreme Court |
| | Continuing Legal Education Board | CLE | PA Const. Art. V Sec. 10; Cont. Legal Ed. Board Regulations | 1992 | Supreme Court |
| | Rules Committees | Procedural rules | PA Const. Art. V, Sec. 10; Supreme Court order | Varies | Supreme Court |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|------------------------------------|--|--|---|------------------|-----------------------------------|
| Pennsylvania (continued) | Judicial Council | Recommendations on judicial branch administration | PA Const. Art. V, Sec. 10; Rule Judicial Admin. 103 | 1972 | Supreme Court |
| Puerto Rico | NR | NR | NR | NR | NR |
| Rhode Island | Ethics Advisory Council | Attorney ethics | Supreme Court rule | 1986 | Supreme Court |
| | Committee on Character/Fitness | Attorney ethics | Supreme Court rule | 1988 | Supreme Court |
| | Disciplinary Board of the Supreme Court | Attorney ethics | Supreme Court rule | 1975 | Supreme Court |
| | Mandatory CLE Commission | CLE | Supreme Court rule | 1993 | Supreme Court |
| | Women and Minorities in Courts | Gender and minority fairness | Supreme Court order | 1989 | Chief Justice |
| | Advisory Committee for the Code of Judicial Conduct | Judicial discipline | Supreme Court rule | 1993 | Supreme Court |
| South Carolina | Commission on Lawyer Conduct | Attorney ethics | Supreme Court rule | 1977 | Supreme Court |
| | Commission on CLE/Specialization | CLE | Supreme Court rule | 1990 | Supreme Court |
| | Family Court, Circuit Court, Probate, Clerk of Court, Adv. Comm. | Procedural rules | Chief Justice order | N/S | Chief Justice |
| | Judicial Council | Recommendations to the legislature | Statute | 1962 | Supreme Court |
| South Dakota | Disciplinary Board of the State Bar and Ethics Committee | Attorney ethics | SDCL Ch. 16-19 | 1978 | Supreme Court |
| | Equal Justice Commission | Gender fairness, minority fairness | Supreme Court order | 2004 | Supreme Court |
| | Planning and Administrative Advisory Council | Administrative and procedural matters | N/S | N/S | Supreme Court |
| | Presiding Judge Council | Trial courts administration | N/S | N/S | Supreme Court |
| | Clerks Advisory | Recommendations on administrative procedures and communication | N/S | N/S | Supreme Court |
| | UJS Technology Committee | Technology | N/S | N/S | Supreme Court |
| Tennessee | Board of Professional Responsibility | Attorney ethics | Supreme Court Rule 9 | N/S | Supreme Court |
| | Comm. on Continuing Legal Ed. | CLE | Supreme Court Rule 21 | N/S | N/S |
| | Judicial Council | Recommendations to the legislature | TCA 16-3-601 | 1940 | N/S |
| | Advisory Commission on Rules of Practiced Procedure | Procedural rules | Supreme Court Rule 31 | N/S | N/S |
| | ADR Commission | ADR | Supreme Court Rule 9 | N/S | N/S |
| | Judicial Ethics Committee | Judicial ethics | TCA 17-4-201 | N/S | N/S |
| Texas | Judicial Council | Judicial policy and data | Gov't Code Ch. 71 | 1929 | Chief Justice and Presiding Judge |
| | Judicial Committee on Information Technology | Court technology standards | Gov't Code Ch. 77 | 1997 | Chief Justice |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|-----------------------------|---|--|--|-------------------------|--------------------------|
| Texas (continued) | Regional Presiding Judges | Trial courts administration | Gov't Code, Family Code, Supreme Court rules | N/S | Chief Justice |
| | Task Force on Foster Care | Court Improvement Project | Supreme Court Order | 1994 | Supreme Court |
| | Equal Access to Justice Foundation | Civil legal services | Supreme Court Order | 2001 | Supreme Court |
| | Council of Chief Justices | Administration of intermediate appellate courts | N/S | N/S | N/A |
| | Supreme Court Rules Advisory Committee | Procedural rules | Supreme Court order | 1939 | Supreme Court |
| Utah | Office of Professional Conduct | Attorney ethics | Supreme Court | 1998 | District Court |
| | Rules Committees | Procedural rules | Supreme Court | Varies | Supreme Court |
| Vermont | Professional Responsibility Board | Attorney ethics | Supreme Court Admin. Order 9 | 1999 | Supreme Court |
| | Board of Continuing Legal Ed. | CLE | Supreme Court rules | 1984 | Supreme Court |
| | Committee on Fairness and Equal Access to Justice | Gender fairness, minority fairness | Supreme Court charge and designation | 1995 | Supreme Court |
| | Rules Committees | Procedural rules | Administrative Orders | Varies | Supreme Court |
| Virginia | Bar Association | Attorney ethics | Statute | 1950s | Supreme Court |
| | Judicial Council | Procedural rules, recommendations to the legislature | Statute | 1930s | Supreme Court |
| Washington | Bar Association | Attorney ethics, procedural rules | Statute & court rule | 1889 | Supreme Court |
| | Board for Court Education | CLE | Supreme Court order | 1981 | Supreme Court |
| | Gender and Justice Commission | Gender fairness | Supreme Court order | 1994 | Supreme Court |
| | Minority and Justice Commission | Minority fairness | Supreme Court order | 1990 | Supreme Court |
| | Board for Judicial Administration | Procedural rules, recommendations to the legislature | Court rule | 1986 | ~ |
| | Superior Court Judges Assn. | Procedural rules | Statute | 1933 | Supreme Court |
| | District & Municipal Court Judges Association | Procedural rules | Statute | 1961 | Supreme Court |
| West Virginia | Office of Disciplinary Counsel | Attorney ethics | Court rules | N/S | Supreme Court |
| | Judicial Hearing Board | Judicial ethics | Court rules | N/S | Supreme Court |
| | Judicial Education Committee and Family Court Education Committee | CLE | N/S | N/S | N/S |
| | Equality Commission | Gender and minority fairness | N/S | N/S | N/S |
| Wisconsin | Commission on the Evaluation of the Rules of Professional Conduct | Attorney ethics | Supreme Court | 2002 | Supreme Court |
| | Judicial Education Committee | CLE | Supreme Court | 1971 | Supreme Court |
| | Special Committee on Gender Neutrality | Gender fairness | Supreme Court | 1993 | Supreme Court |
| | Benchbook Committees | Procedural rules | Office of Judicial Education | 1982/1992 | Director of State Courts |

Table 14. Judicial Councils and Conferences

Legend: CLE=Continuing legal education; NR=No response; N/S=Not stated; ~ =Not applicable

| | Name of council/conference | Function | Authority | Year established | Reports to: |
|---------------------------------|-----------------------------------|---|--------------------------|------------------|----------------------------|
| Wisconsin (continued) | Legislative Committee | Recommendations to the legislature | Judicial Conference | 1978 | Supreme Court |
| | Planning & Policy Advisory Comm. | Long range strategic planning, budget preparation | Supreme Court | 1992 | Supreme Court |
| | Judicial Council | Procedure and practice | Statute | 1951 | Supreme Court, Legislature |
| | Judicial Conference | Court forms and other court studies | Statute, Court rules | 1979 | Supreme Court |
| Wyoming | Board of Professional Resp. | Attorney ethics | Bar by-laws; S. Ct. rule | N/S | Supreme Court |
| | Board of Continuing Legal Ed. | CLE | Bar by-laws; S. Ct. rule | N/S | Supreme Court |
| | Board of Judicial Policy & Admin. | Recommendations to the legislature | Supreme Court order | 2000 | Judicial branch |
| | Permanent Rules Advisory Comm. | Procedural rules | N/S | N/S | Supreme Court |

FOOTNOTES:**Georgia:**

¹ The Commission on Gender Bias in the Judicial System was originally created in 1989, and the Supreme Court Commission on Racial and Ethnic Bias in the Courts was created in 1993. In 1995, these commissions were combined into the Supreme Court Commission on Equality, which was renamed the Georgia Commission on Access and Fairness in the Courts in 2004.

Missouri:

² All rules recommended by these two committees must be reviewed and promulgated by the Supreme Court.

Table 15. Judicial Compensation Commissions

Note: Only those States with Judicial Compensation Commissions are included in this table.

| State commission name (year established) | Authorization: CN=constitution ST=statute | Number of members – appointment process | Does commission review non- judicial positions? 1 | Meeting schedule | Commission reports to: EX = Executive LG = Legislature JD = Judicial | | | Effect of commission recommendation |
|--|--|---|--|--|---|----|----|--|
| | | | | | EX | LG | JD | |
| Alabama Judicial Compensation Commission (1973) | CN: Amend. 328 § 6.09 and 426; ST: Code §§ 12:10-1 et seq | 5 – 1 appointed by governor, 1 by president of the Senate, 1 by speaker of the house, 2 by governing body of the state bar; no member shall hold any public or political party office; members serve a four-year term | ■ | Annually | | ■ | | Implemented upon confirmation by legislature |
| Alaska State Officers Compensation Commission (1986) | ST: § 39.23.200- 400 | 7 – appointed by governor, subject to confirmation by the legislature; staggered four-year terms; includes 1 business executive, 1 representative of a nonpartisan voters' organization, 1 person with experience in public administration, 1 labor organization representative; no state employees or holders of public office | ■ | Biennially | | ■ | | Advisory |
| Arizona Commission on Salaries for Elective State Officers (1970) | CN: Art. V, §13 ST: Ann. §41- 1901-1905 | 5 – 2 appointed by governor, 1 by president of the Senate, 1 by speaker of the house, 1 by Chief Justice; new members appointed biennially; all members appointed from the private sector | ■ | Biennially | ■ | | | Becomes law unless rejected by legislature |
| Colorado State Officials' Compensation Commission (1973) | ST: §2-3-801- 901 | 9 – 2 appointed by president of the Senate and speaker of the house (only these 2 members may be members of the general assembly), 3 appointed by governor and 2 by Chief Justice (these members may not be elected or appointed officials, nor state employees); staggered terms of two and four years | ■ | Biennially | ■ | ■ | ■ | Advisory |
| Connecticut Compensation Commission for Elected State Officers and Judges (1971) | ST: §2-9a | 11- 3 appointed by governor, 2 by president pro tem of the Senate, 2 by speaker of the house, 2 by Senate majority leader, 2 by house minority leader; no state officials or employees; four-year terms | ■ ² | Quarterly | | ■ | | Advisory |
| Delaware Delaware Compensation Commission (1984) | ST: Code Ann., tit. 29, §3301- 3304 | 6 – 2 appointed by governor, 1 by president pro tem of the Senate, 1 by speaker of the house; president of Delaware Roundtable and state personnel director shall also be members; no other state officers or employees; six-year terms | ■ | Every four years | ■ | ■ | ■ | Becomes law unless rejected by legislature |
| Georgia State Commission on Compensation (1981) | CN: Art. 5; ST: Code Ann. §45-7-90-96 | 12 – 4 appointed by governor, 2 by lt. governor, ³ 2 by speaker of the house, ³ 4 by Supreme Court justices; 1 with business background; four-year terms; no state officers or employees | ■ | Annually | ■ | ■ | ■ | Advisory |
| Hawaii Judicial Salary Commission (1989) | CN: Art. 6 §3; ST: Stat. §608- 1.5 | 5 – 1 appointed by governor, 2 by president of the Senate, 2 by speaker of the house | | November 2003 and every 8 years thereafter | | ■ | | Becomes law unless rejected by legislature |

Table 15. Judicial Compensation Commission

Note: Only those states with Judicial Compensation Commissions are included in this table.

| State commission name (year established) | Authorization: CN=constitution ST=statute | Number of members – appointment process | Does commission review non- judicial positions? | Meeting schedule | Commission reports to: | | | Effect of commission recommendation |
|--|--|--|---|---------------------|------------------------|------------------|---------------|--|
| | | | | | EX = Executive | LG = Legislature | JD = Judicial | |
| Illinois Compensation Review Board (1984) | ST: Ann. ch. 25 para. 120 | 12 – 3 appointed by speaker of the house, 3 by house minority leader, 3 by president of the Senate, 3 by Senate minority leader; no current or past state employees; staggered three- year terms | ■ | Biennially | | ■ | | Becomes law unless rejected by legislature |
| Indiana Public Officers Compensation Advisory Commission (2004) | ST: IC 2-5-1.5 | 9 – 2 members appointed by speaker of the house, 2 appointed by president pro tempore of the Senate, 2 by governor, 2 by Chief Justice of the Supreme Court, 1 by Chief Judge of the Court of Appeals; four-year terms, reappointment permitted | ■ | As necessary | | ■ | | Advisory |
| Iowa Judicial Compensation Commission (1987) | ST: Code Ann. §602.1514 | 8 – 4 appointed by governor, 4 by legislative council; no state officials or employees; four-year terms | | Biennially | ■ | ■ | | Advisory |
| Louisiana Judicial Compensation Commission (1989) | ST: Ann. §13:41- 13:49 | 10 – 1 appointed by governor, 2 by president of the Senate, 2 by speaker of the house, 1 by Chief Justice of the Supreme Court, 1 by Conference of Court of Appeals, 1 by District Judges Association, 1 by City Judges Association, 1 by state bar association; members confirmed by the Senate; four-year terms | | Biennially | | ■ | | Implemented upon confirmation by legislature |
| Maine Judicial Compensation Commission (1995) | ST: Ann., title 4 §1701 | 3 – selected from registered voters of the state; 1 appointed by governor, 1 by president of the Senate, 1 by speaker of the house; staggered four-year terms | | As necessary | | ■ | | Advisory |
| Maryland Judicial Compensation Commission (1980) | ST: Code Ann. Cts. & Jud. Proc. §1-708 | 7 – governor appoints 2 from list of 5 submitted by president of the Senate, 2 from list of 5 submitted by speaker of the house, 1 from list of 3 submitted by state bar, and 2 at large; staggered six-year terms | | Biennially | ■ | ■ | | Becomes law unless rejected by legislature |
| Michigan State Officers Compensation Commission (1984) | CN: Art. 4, §12; Comp. Laws Ann., §15-211-17 | 7 – appointed by governor; may not be reappointed; cannot be government employee; staggered four-year terms | ■ | Biennially | | ■ | | Becomes law unless rejected by legislature |
| Minnesota Minnesota State Compensation Council (1983) | ST: Ann. §15A | 16 – 2 house members appointed by speaker of the house, 2 Senate members appointed by Senate majority leader, 1 house member appointed by minority leader, 1 Senate member appointed by minority leader, 2 non-judges appointed by chief judge, 1 member appointed by governor from each of the 8 congressional districts (no more than 4 may belong to the same political party); two-year terms | ■ | Biennially | | ■ | | May be expressly modified or rejected |

Table 15. Judicial Compensation Commissions

Note: Only those States with Judicial Compensation Commissions are included in this table.

| State commission name (year established) | Authorization: CN=constitution ST=statute | Number of members – appointment process | Does commission review non- judicial positions? | Meeting schedule | Commission reports to: | | | Effect of commission recommendation |
|---|---|--|---|---------------------|------------------------|------------------|---------------|--|
| | | | | | EX = Executive | LG = Legislature | JD = Judicial | |
| Missouri Missouri Citizens’ Commission on Compensation for Elected Officials (1996) | CN: Art. 13, §3 | 22 – 1 randomly selected from each of the 9 congressional districts, 12 appointed by governor, 1 retired judge appointed by Supreme Court; four-year terms | ■ | Biennially | ■ | | | Becomes law unless rejected by legislature |
| New Jersey Public Officers Salary Review Commission (1999) | ST: 52:14-15.115 | 7 – 2 appointed by governor, 1 appointed by president of the Senate, 1 by Senate minority leader, 1 by speaker of the general assembly, 1 by general assembly minority leader, 1 by Chief Justice of the Supreme Court | ■ | As necessary | ■ | ■ | | Advisory |
| New Mexico Judicial Compensation Commission (2005) | ST: Laws of NM, Chapter 85 | 5 – 1 appointed by the governor, 1 by the president pro tem of the Senate, 1 by the speaker of the house, and 1 by the Chief Justice of the Supreme Court. The fifth member is the president of the state bar (or designee) and the chair is the dean of the University of New Mexico School of Law | | Annually | ■ | | ■ | Advisory |
| Oregon Public Officials Compensation Commission (1983) | ST: §292.907- 930 | 7 – 2 appointed by governor, 2 by speaker of the house, 2 by president of the Senate, 1 by Chief Justice; four-year terms | ■ ⁴ | As necessary | | | ■ | Advisory |
| Rhode Island Unclassified pay Plan Board (1978) | Gen. Laws §36- 4-16 | 7 – director of administration, state court administrator, general treasurer, 2 house members appointed by speaker of the house, 2 Senate members appointed by Senate majority leader; no terms | ■ | Annually | | | ■ | Becomes law unless rejected by legislature |
| Utah Executive and Judicial Compensation Commission (1981) | ST: Code Ann. §67-8-1 | 6 – 1 appointed by governor, 1 by president of the Senate, 1 by speaker of the house, 2 by the first 3 appointed members, 1 by the state bar commission; four- year terms | ■ | Annually | | | ■ | Advisory |
| Washington Citizens’ Commission on Salaries for Elected Officials (1987) | ST: Code §43.03.305 | 16 – 9 drawn by lot from voter lists, 7 appointed by speakers of Senate and house; four-year terms | ■ | Biennially | ■ | | | Becomes law unless rejected by legislature |

FOOTNOTES:

Alabama:

¹ Probate Court and Municipal Court judges are not reviewed.

Connecticut:

² Probate judges are not reviewed.

Georgia:

³ One member appointed by the lieutenant governor and one member appointed by the speaker of the house are to have labor-management relations experience.

Oregon:

⁴ Justices of the Peace, County Court judges, and Municipal Court judges are not reviewed.

Table 16. Preparation and Submission of the Judicial Branch Budget for State Funding

Legend: NR=No response; N/S=Not stated; -=Not applicable; ■=Yes

| | Who prepares the budget? | | | Who reviews the budget? | | | Budget submitted to: | | Budget period | Can funds roll-over from one year to the next? | Judicial % of State budget |
|----------------------|--|-----------------|-----------------|-------------------------|----|-----------------|----------------------|----------------|--------------------------|--|----------------------------|
| | AOC=Administrative Office of the Courts SC=Court of Last Resort | | | AOC SC Other | | | EX=Executive | LG=Legislative | | | |
| | AOC | SC | Other | AOC | SC | Other | EX | LG | | | |
| Alabama | ■ | | | ■ | | | ■ | | Annual Oct 1-Sep 30 | | 2.0 |
| Alaska | | | ■ ¹ | | ■ | | | ■ | Biennial Jul 1-Jun 30 | | 2.5 |
| Arizona | ■ | | | | | ■ ² | ■ | ■ | Jul 1-Jun 30 | | 1.7 |
| Arkansas | ■ | | | | ■ | | | ■ | Jul 1-Jun 30 | ■ ³ | 0.5 |
| California | ■ | | | ■ | | | ■ | ■ | Jul 1-Jun 30 | ■ ⁵ | 2.5 |
| Colorado | ■ | | | ■ | | | | ■ | Jul 1-Jun 30 | | 1.7 |
| Connecticut | ■ | | | ■ | | | ■ | | Jul 1-Jun 30 | | 3.0 |
| Delaware | ■ | | | | | ■ ⁶ | ■ | | Jul 1-Jun 30 | ■ | 2.6 |
| District of Columbia | ■ ⁷ | | | | | ■ ⁸ | ■ | ■ | Oct 1-Sep 30 | ■ ⁹ | 3.0 |
| Florida | ■ | | | | ■ | | | ■ | Jul 1-Jun 30 | ■ ¹¹ | 0.6 |
| Georgia | | ■ | | | | ■ ¹² | | ■ | Jul 1-Jun 30 | ■ ¹³ | 1.0 |
| Hawaii | | | ■ ¹⁴ | ■ | | | | ■ | Jul 1-Jun 30 | | 2.8 |
| Idaho | ■ | | | ■ | | | | ■ | Jul 1-Jun 30 | ■ ¹⁵ | 1.2 |
| Illinois | ■ | | | | ■ | | | ■ | Jul 1-Jun 30 | | Less than 1 |
| Indiana | ■ | | | | ■ | | ■ | | Jul 1-Jun 30 | | 1.4 |
| Iowa | ■ | | | | ■ | | | ■ | Jul 1-Jun 30 | | 2.3 |
| Kansas | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ | 1.0 |
| Kentucky | ■ | | | ■ | | ■ ¹⁶ | | ■ | Jul 1-Jun 30 | ■ ¹⁷ | 3.0 |
| Louisiana | ■ | | | | | ■ ¹⁸ | | ■ | Jul 1-Jun 30 | ■ | .06 |
| Maine | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Maryland | ■ | | | | | ■ ¹⁹ | | ■ | Jul 1-Jun 30 | | 1.3 |
| Massachusetts | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | | 2.3 |
| Michigan | | ■ ²⁰ | | | ■ | | | ■ | Oct 1-Sep 30 | ■ ²¹ | 0.6 |
| Minnesota | ■ | | | | | ■ ²² | ■ | | Jul 1-Jun 30 | ■ | 1.7 |
| Mississippi | | ■ | | | ■ | | | ■ | Jul 1-Jun 30 | ■ ²³ | 1.0 |
| Missouri | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | | 1.2 |
| Montana | ■ | | | ■ | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ ²⁴ | 1.0 |
| Nebraska | ■ | | | ■ | | | ■ | | Jul 1-Jun 30 | ■ | 1.4 |
| Nevada | ■ | | | | ■ | | | ■ | Jul 1-Jun 30 | ■ ²⁵ | .88 |
| New Hampshire | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ | 1.3 |
| New Jersey | ■ | | | ■ | | | ■ | ■ | Jul 1-Jun 30 | ■ ²⁶ | 2.1 |
| New Mexico | ■ ²⁷ | | ■ ²⁷ | ■ | ■ | ■ ²⁸ | ■ | ■ | Jul 1-Jun 30 | | 2.4 |
| New York | | | ■ ²⁹ | ■ | ■ | | ■ | ■ | Apr 1-Mar 31 | ■ ³⁰ | 1.5 |
| North Carolina | ■ | | | ■ | | | ■ | ■ | Jul 1-Jun 30 | | 2.6 |
| North Dakota | ■ | | | ■ | | | ■ | ■ | Jul 1-Jun 30 | | 2.0 |
| Ohio | | ■ | | | | ■ ³¹ | ■ | | Jul 1-Jun 30 | | 0.4 |
| Oklahoma | | ■ | | | ■ | | | ■ | Jul 1-Jun 30 | ■ | 1.0 |
| Oregon | ■ | | | ■ | | | ■ | ■ | Jul 1-Jun 30 | ■ ³² | 2.0 |
| Pennsylvania | ■ | | | ■ | ■ | | ■ | ■ | Jul 1-Jun 30 | | .59 |
| Puerto Rico | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | ■ | | | ■ | | | ■ | ■ | Jul 1-Jun 30 | ■ | 2.4 |
| South Carolina | | | ■ ³³ | | | ■ ³³ | ■ | ■ | Jul 1-Jun 30 | ■ | .33 |
| South Dakota | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ | 2.8 |
| Tennessee | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ | .05 |
| Texas | | | ■ ³⁴ | | | ■ ³⁵ | | ■ | Sep 1-Aug 31 | ■ ³⁶ | 0.4 |
| Utah | ■ | | | | | ■ ³⁷ | ■ | ■ | Jul 1-Jun 30 | ■ ³⁸ | 5.0 |
| Vermont | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ | 2.0 |
| Virginia | ■ | | | | ■ | | ■ | | Jul 1-Jun 30 | ■ ³⁹ | 1.0 |
| Washington | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ ⁴⁰ | 4.0 |
| West Virginia | ■ | | | ■ | | | | ■ | Jul 1-Jun 30 | ■ | 2.8 |
| Wisconsin | ■ | | | | ■ | | ■ | ■ | Jul 1-Jun 30 | ■ ⁴¹ | .85 |
| Wyoming | ■ ⁴² | | ■ ⁴² | | | ■ ⁴³ | | ■ | Jul 1-Jun 30 | ■ ⁴⁴ | 2.0 |

Table 16. Preparation and Submission of the Judicial Branch Budget for State Funding

Legend: NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

| | Can executive branch amend the budget? | Is the judicial appropriation filed as a separate bill? | Number of budget line items | Can the judicial branch move funds between line items? |
|----------------------|---|---|-----------------------------|--|
| Alabama | ■ | | Varies | With approval from Finance Director |
| Alaska | | | 3 | ■ |
| Arizona | | | 25 | Upon review from legislature |
| Arkansas | | 4 | 8 | Up to 3% of the budget |
| California | ■ | | 8 | ■ |
| Colorado | | | 70 | Up to 6% of the budget & \$1 mil. at year end |
| Connecticut | ■ | | 5 | |
| Delaware | ■ | | 87 | |
| District of Columbia | ■ | | 5 | ■ ¹⁰ |
| Florida | | | Varies | Up to 5% of the budget |
| Georgia | | | 7 | |
| Hawaii | | ■ | 6 | ■ |
| Idaho | | ■ | 1 | ~ |
| Illinois | | ■ | 99 | Up to 2% of the budget |
| Indiana | Occurs occasionally | | Varies | |
| Iowa | | ■ | 2 | ■ |
| Kansas | | | 1 | ~ |
| Kentucky | | ■ | 3 | ■ |
| Louisiana | | ■ | 61 | ■ |
| Maine | NR | NR | NR | NR |
| Maryland | | | 442 | Up to 1.33% of the budget |
| Massachusetts | ■ | | 148 | Up to 2.3% of the budget |
| Michigan | | ■ | 31 | ■ |
| Minnesota | | | 3 | ■ |
| Mississippi | | ■ | 7 | ■ |
| Missouri | ■ | | 14 | Within administrative limits |
| Montana | ■ | | 6 | Within statutory limits (25% of the budget) |
| Nebraska | ■ | | 79 | ■ |
| Nevada | | | Varies | ■ |
| New Hampshire | | | 42 | Up to 1.3% of the budget |
| New Jersey | ■ | | 80 | ■ |
| New Mexico | | | 3 | ■ |
| New York | | ■ | 90 | Up to 5% of the budget |
| North Carolina | | | 75 | Up to 10% of the budget |
| North Dakota | | | 10 | ■ |
| Ohio | | | 1 | ~ |
| Oklahoma | | | 2 | Up to 10% of the budget |
| Oregon | Occurs occasionally | ■ | 2 | |
| Pennsylvania | ■ | | 36 | ■ |
| Puerto Rico | NR | NR | NR | NR |
| Rhode Island | | | 5 | |
| South Carolina | | | Varies | ■ |
| South Dakota | | | 2 | ■ |
| Tennessee | Occurs occasionally | | 30 | ■ |
| Texas | Governor can veto individual line items | | 62 | With approval of Legislative Budget Board & Governor |
| Utah | | | 5 | |
| Vermont | | | 2 | ■ |
| Virginia | ■ | | 12 | Subject to approval of Governor's Budget Office |
| Washington | | | Varies | |
| West Virginia | | | N/S | ■ |
| Wisconsin | ■ | | 23 | With legislative and executive branch approval |
| Wyoming | | | 4 | ■ |

Table 16. Preparation and Submission of the Judicial Branch Budget for State Funding

FOOTNOTES:

Alaska:

¹ Trial court administrators prepare the budget.

Arizona:

² The Chief Justice and Vice Chief Justice review the budget.

Arkansas:

³ This only applies when specific authority is granted in the appropriation bill.

⁴ Judicial salaries are contained in a general bill with salaries of all elected officials; other judicial appropriations are separate.

California:

⁵ Nearly the entire judicial branch budget is appropriated on an annual basis. However, approximately six percent of the budget (FY 2003-2004) consists of special funds that are continuously appropriated.

Delaware:

⁶ The Council of Court Administrators and Chief Justices review the budget.

District of Columbia:

⁷ The Executive Office of the District of Columbia Courts functions as the Administrative Office of the Courts.

⁸ The Joint Committee on Judicial Administration reviews the budget.

⁹ Only funds within the Defender Services Account roll-over.

¹⁰ Following 30 days notice, the courts can reallocate up to \$1 million for operations and up to 4% for capital.

Florida:

¹¹ Roll-over is restricted to trust funds only.

Georgia:

¹² The Judicial Council of Georgia reviews the budget.

¹³ Funds must have been encumbered by June 30.

Hawaii:

¹⁴ Individual courts prepare the budget.

Idaho:

¹⁵ General funds do not roll-over, but "other" funds do.

Kentucky:

¹⁶ The Chief Justice reviews the budget.

¹⁷ Only agency and federal funds can roll-over. General funds dollars lapse in the Court Operations budget but do not lapse in the Local Facilities Budget.

Louisiana:

¹⁸ The Judicial Budgetary Control Board reviews the budget.

Maryland:

¹⁹ The Chief Judge of the Court of Appeals reviews the budget.

Michigan:

²⁰ The Supreme Court works with the Department of Management and Budget's Budget Office on the initial submission.

²¹ Funds can be rolled over if provided by statute. Funds can also be rolled forward as a work project request requiring approval of both the Executive and the Legislative branch.

Minnesota:

²² The Intercourt Committee reviews the budget.

Mississippi:

²³ Roll-over restricted to special funds; general funds do not roll-over.

Montana:

²⁴ Funds can roll-over only if appropriation authority is biennial and if it is necessary to move money back from the second year to cover shortages in the first year.

Nevada:

²⁵ Roll-over is restricted to non-state funds.

New Jersey:

²⁶ Roll-over funds are authorized and restricted by the language in the annual Appropriation Act.

New Mexico:

²⁷ The AOC prepares the Magistrate Court budget. Appellate and District courts prepare their own budgets.

²⁸ The Budget Committee of the Chief Judges Council reviews the budget.

New York:

²⁹ Individual courts prepare the budget.

³⁰ Roll-over only occurs if funds are reappropriated by the legislature.

Ohio:

³¹ There is no central judicial branch review of the budget.

Oregon:

³² General funds do not roll-over, but "other" funds do.

South Carolina:

³³ The Chief Justice/Finance Office prepares and reviews the budget.

Texas:

³⁴ Individual courts prepare the budget.

³⁵ There is no central judicial branch review of the budget.

³⁶ Roll-over allowed between years in the biennium only, not from one biennium to the next.

Utah:

³⁷ The Judicial Council reviews the budget.

³⁸ Funds may only roll-over with legislative approval.

Virginia:

³⁹ Roll-over is subject to approval by the Governor's Budget Office.

Washington:

⁴⁰ Roll-over is limited to Public Safety and Education Account and Judicial Information System Account funds.

Wisconsin:

⁴¹ Roll-over is limited to continuing program revenue appropriations only.

Wyoming:

⁴² The AOC prepares the budget for the Supreme Court and the Circuit Court; District Courts prepare their own budgets.

⁴³ There is no central judicial branch review of the budget.

⁴⁴ Funds cannot roll-over from one biennial budget cycle to another.

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Judicial expenditures (millions) | | | Source of salaries for: | | | | |
|------------------------------|----------------------------------|------------------|------------------|-------------------------|-----------------|----------------------------|-----------------|-----------------------|
| | \$ Total | Paid by State | Paid by Locality | Judicial | Clerks of court | Trial court administrators | Court reporters | Other court personnel |
| Alabama | | | | | | | | |
| GJ Circuit | 151 ₁ | N/S ₁ | N/S ₁ | S | S | S | S | S |
| LJ District | | | | S | S | S | S | S |
| LJ Municipal | N/S | 0 | 100% | C | C | C | C | C |
| LJ Probate | N/S | 0 | 100% | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | | | |
| GJ Superior | 53 ₂ | 95% ₂ | N/S ₂ | S | S | S | ~ | S |
| LJ District | | | | S | S | S | ~ | S |
| Arizona | | | | | | | | |
| GJ Superior | 345 | 93 | 252 | S/C | C | C | C | C |
| LJ Justice of the Peace | 36 | 2 | 34 | S/C | C | C | C | C |
| LJ Municipal | 75 | .1 | 75 | C | C | C | C | C |
| Arkansas | | | | | | | | |
| GJ Circuit | N/S | 71 | N/S | S | C | C | S | S |
| LJ District | N/S | N/S | N/S | C | C | C | ~ | C |
| LJ City | N/S | N/S | N/S | C | C | ~ | ~ | C |
| California | | | | | | | | |
| GJ Superior | 2,123 | 1,950 | 173 | S | S | S | S | S/C |
| Colorado | | | | | | | | |
| GJ District | 123 | N/S | N/S | S | S | S | S | S/US |
| GJ Denver Probate | 868 ₄ | 868 ₄ | 0 ₄ | S | S | S | S | S |
| GJ Denver Juvenile | | | | S | S | S | S | S |
| GJ Water | 5 ₅ | 5 ₅ | 5 ₅ | S | S | S | S | S |
| LJ County | 5 | 5 | 5 | S | S | S | S | S/US |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| Connecticut | | | | | | | | |
| GJ Superior | 200 | 200 | 0 | S | S | ~ | S | S |
| LJ Probate | 21 | 0 | 2 ⁶ | F | F | F | ~ | F |
| Delaware | | | | | | | | |
| GJ Superior | 18 | 17 | 0 | S | S | S | S | S |
| LJ Chancery | 4 | 4 | 0 | S | F | S/F | S | S |
| LJ Justice of the Peace | 15 | 15 | 0 | S | S | S | ~ | S |
| LJ Family | 19 | 16 | 0 | S | S | S | S | S |
| LJ Common Pleas | 9 | 8 | 0 ⁷ | S | S | S | S | S/F |
| LJ Alderman's | N/S | N/S | N/S | C | C | N/S | C | C |
| District of Columbia | | | | | | | | |
| GJ Superior | N/S ⁸ | 0 | 0 | US | US | US | US | US |
| Florida | | | | | | | | |
| GJ Circuit | N/S ₉ | 331 ₉ | N/S ₉ | S | C | S | S | S/C |
| LJ County | | | | S | C | S | S | S/C |
| Georgia | | | | | | | | |
| GJ Superior | N/S | N/S | N/S | S | C | S/C | S/C | S/C/F |
| LJ Juvenile | N/S | N/S | N/S | S/C | C | C | C | C |
| LJ Civil | N/S | N/S | N/S | C | C | C | C | C |
| LJ State | N/S | N/S | N/S | C | C | C | C | C |
| LJ Probate | N/S | N/S | N/S | C | C | ~ | C | C |
| LJ Magistrate | N/S | N/S | N/S | C | C | ~ | C | C |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| LJ County Recorder's | N/S | N/S | N/S | C | C | ~ | C | C |
| LJ Municipal/City of Atlanta | N/S | N/S | N/S | C | C | C | C | C |
| Hawaii | | | | | | | | |
| GJ Circuit | 10 ₁₀ | 10 ₁₀ | 0 | S | S | S | S | S |
| LJ District | 10 | 10 | 0 | S | S | S | S | S |
| Idaho | | | | | | | | |
| GJ District | 79 ₁₁ | 19 ₁₁ | 60 ₁₁ | S | C | S | S | S/C |
| LJ Magistrate's Division | | | | S | C | S | S | S/C |
| Illinois | | | | | | | | |
| GJ Circuit | N/S | N/S | N/S | S | S/C | S/C | S | S/C |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Equipment | | Court record for appeal | Buildings/ Real property | Travel expenses | General operating expenses | Indigent defense | Child support enforcement |
|------------------------------|------------|---------------|-------------------------|--------------------------|-----------------|----------------------------|------------------|---------------------------|
| | Automation | Other capital | | | | | | |
| Alabama | | | | | | | | |
| GJ Circuit | S/F | S | S | C | S | S | S/F | US |
| LJ District | S/F | S | S | C | S | S | S/F | US |
| LJ Municipal | C | C | C | C | C | C | C | C |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | | | |
| GJ Superior | S | S | S | S | S | S | ~ | ~ |
| LG District | S | S | S | S | S | S | ~ | ~ |
| Arizona | | | | | | | | |
| GJ Superior | S/C/F | C | C | C | C | C | C | S/C |
| LJ Justice of the Peace | S/C/F | C | C | C | C | C | S/C | ~ |
| LJ Municipal | S/C | C | C | C | C | C | C | ~ |
| Arkansas | | | | | | | | |
| GJ Circuit | S/C/F | S/C | S | C | S/C | C | S | S |
| LJ District | C | C | C | C | C | C | S | ~ |
| LJ City | C | C | ~ | C | C | C | ~ | ~ |
| California | | | | | | | | |
| GJ Superior | S/C | S/C | S | C | S | S/C | S/C | S/US |
| Colorado | | | | | | | | |
| GJ District | S | S | S | C | S | S | ~ | S |
| GJ Denver Probate | S | S | S | C | S | S | ~ | ~ |
| GJ Denver Juvenile | S | S | S | S | S | S | ~ | ~ |
| GJ Water | S | S | S | C | S | S | ~ | ~ |
| LJ County | S | S | S | C | S | S | S | S |
| LJ Municipal | C | C | C | C | C | C | C | C |
| Connecticut | | | | | | | | |
| GJ Superior | S | S | S | S | S | S | ~ | S |
| LJ Probate | F | F | F | C | F | F | F | ~ |
| Delaware | | | | | | | | |
| GJ Superior | S | S | F | S | S | S | S | S |
| LJ Chancery | S | S | ~ | S | S | S | ~ | ~ |
| LJ Justice of the Peace | S | S | S | S | S | S | S | ~ |
| LJ Family | S | S | F | S | S | S | S | S |
| LJ Common Pleas | S | S | F | S | S | S | S | S |
| LJ Alderman's | C | C | C | C | C | C | C | ~ |
| District of Columbia | | | | | | | | |
| GJ Superior | US | US | US | US | US | US | US | US |
| Florida | | | | | | | | |
| GJ Circuit | C | S/C | S | C | S | S/C | S | S/US |
| LJ County | C | S/C | S | C | S | S/C | S | S/US |
| Georgia | | | | | | | | |
| GJ Superior | S/C/US | S/C | C | C | S/C | S/C | C/US | S |
| LJ Juvenile | S/C | C | C | C | C | C | C | ~ |
| LJ Civil | C | C | C | C | C | C | ~ | ~ |
| LJ State | S/C | C | C | C | S/C | C | ~ | ~ |
| LJ Probate | S/C | C | C | C | C | C | S/C | ~ |
| LJ Magistrate | S/C | C | C | C | C | C | S/C | ~ |
| LJ Municipal | C | C | C | C | C | C | C | ~ |
| LJ County Recorder's | C | C | C | C | C | C | S/C | ~ |
| LJ Municipal/City of Atlanta | C | C | C | C | C | C | C | ~ |
| Hawaii | | | | | | | | |
| GJ Circuit | S | S | S | S | S | S | S | ~ |
| LJ District | S | S | S | S | S | S | S | ~ |
| Idaho | | | | | | | | |
| GJ District | S | C | C | C | S | C | C | ~ |
| LJ Magistrate's Division | S | C | C | C | S | C | C | ~ |
| Illinois | | | | | | | | |
| GJ Circuit | S/C/F | C | S/C | C | S/C | C/F/US | C | C |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Juvenile probation/detention | Language interpreters | | | Jury costs | Pretrial services | Adult probation | ADA compliance |
|------------------------------|------------------------------|-----------------------|---------|----------------|------------|-------------------|-----------------|----------------|
| | | Security | Foreign | Sign | | | | |
| Alabama | | | | | | | | |
| GJ Circuit | S/C | C | S | S | S | C | S | C |
| LJ District | S/C | C | S | S | S | C | S | C |
| LJ Municipal | C | C | C | C | C | C | C | C |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | | | |
| GJ Superior | ~ | S | S | S | S | S | ~ | S |
| LG District | ~ | S | ~ | ~ ³ | S | S | ~ | S |
| Arizona | | | | | | | | |
| GJ Superior | S/C/F/US | C | C | C | C/F | C | S/C/F/US | C |
| LJ Justice of the Peace | ~ | C | C | C | C | C | C | C |
| LJ Municipal | S/C | C | C | C | C | C | S/C | C |
| Arkansas | | | | | | | | |
| GJ Circuit | S | C | S/C | S | C | ~ | S | C |
| LJ District | ~ | C | S/C | S | ~ | C | C | C |
| LJ City | ~ | C | S/C | S/C | ~ | ~ | C | C |
| California | | | | | | | | |
| GJ Superior | S/C | S | S | S | S/Parties | S/C | C | C |
| Colorado | | | | | | | | |
| GJ District | S/US | C | S | S | S | ~ | S/US | S |
| GJ Denver Probate | ~ | C | S | S | ~ | ~ | ~ | S |
| GJ Denver Juvenile | S/US | ~ | S | S | S | ~ | ~ | S |
| GJ Water | ~ | C | S | S | S | ~ | ~ | S |
| LJ County | S/US | C | S | S | S | S | S/US | S |
| LJ Municipal | C | C | C | C | C | C | C | C |
| Connecticut | | | | | | | | |
| GJ Superior | S | S | S | S | S | S | S | S |
| LJ Probate | ~ | ~ | F | F | ~ | ~ | ~ | C |
| Delaware | | | | | | | | |
| GJ Superior | S | S | S | S | S | S | S | S |
| LJ Chancery | ~ | S | S | S | ~ | ~ | ~ | S |
| LJ Justice of the Peace | S | S | S | S | S | ~ | S | S |
| LJ Family | S | S | S | S | S | S | S | S |
| LJ Common Pleas | S | S | S | S | S | S | S | S |
| LJ Alderman's | ~ | C | C | C | ~ | N/S | N/S | C |
| District of Columbia | | | | | | | | |
| GJ Superior | US | US | US | US | US | ~ | ~ | US |
| Florida | | | | | | | | |
| GJ Circuit | S | C | S | S | S/C | C | ~ | S/C |
| LJ County | S | C | S | S | S/C | C | ~ | S/C |
| Georgia | | | | | | | | |
| GJ Superior | ~ | C | C | C | C | C | ~ | C |
| LJ Juvenile | ~ | C | C | C | C | C | ~ | C |
| LJ Civil | ~ | C | ~ | ~ | C | C | ~ | C |
| LJ State | ~ | C | C | C | C | C | ~ | C |
| LJ Probate | ~ | C | C | C | C | C | ~ | C |
| LJ Magistrate | ~ | C | C | C | ~ | C | C | C |
| LJ Municipal | ~ | C | C | C | C | C | ~ | C |
| LJ County Recorder's | ~ | C | C | C | C | C | C | C |
| LJ Municipal/City of Atlanta | ~ | C | C | C | C | C | C | C |
| Hawaii | | | | | | | | |
| GJ Circuit | S | S | S | S | S | S | S | S |
| LJ District | S | S | S | S | S | S | S | S |
| Idaho | | | | | | | | |
| GJ District | S/C | C | C | C | C | C | S/C | C |
| LJ Magistrate's Division | S/C | C | C | C | C | C | ~ | C |
| Illinois | | | | | | | | |
| GJ Circuit | C/F/S/US | C/F | C | C | S/C | C/F/S/US | C/F/S/US | ~ |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Judicial expenditures (millions) | | | Source of salaries for: | | | | |
|-------------------------------|----------------------------------|---------------|------------------|-------------------------|-----------------|----------------------------|-----------------|-----------------------|
| | \$ Total | Paid by State | Paid by locality | Judicial | Clerks of court | Trial court administrators | Court reporters | Other court personnel |
| Indiana | | | | | | | | |
| GJ Superior and Circuit | 252 | 77 | 175 | S/C | C | C | C | C |
| GJ Probate | 2 | .09 | 2 | S/C | C | C | C | C |
| LJ County | 2 | .36 | 2 | S/C | C | C | C | C |
| LJ City and Town | 9 | 0 | 9 | C | C | C | ~ | C |
| LJ Small Claims/Marion County | 2 | 0 | 2 | C | C | C | ~ | F |
| Iowa | | | | | | | | |
| GJ District | N/S | 120 | N/S | S | S | S | S | S |
| Kansas | | | | | | | | |
| GJ District | 112 | 90 | 22 | S | S | S | S | S |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| Kentucky | | | | | | | | |
| GJ Circuit | 34 | 31 | 0 ¹² | S | S | S | S | S |
| LJ District | 17 | 17 | 0 | S | S | S | ~ | S |
| Louisiana | | | | | | | | |
| GJ District | 96 | 30 | 26 | S/F | F/C | S/F/C | S/F/C | S/F/C |
| GJ Juvenile & Family | 13 | 2 | 9 ¹³ | S | F/C | F/C | S/F/C | F/C |
| LJ Justice of the Peace | 3 | .3 | 1 ¹⁴ | S/F/C | ~ | ~ | ~ | F/C |
| LJ Mayor's | N/S | N/S | N/S | N/S | ~ | ~ | ~ | ~ |
| LJ City & Parish | 37 | 2 | 17 ¹⁵ | S/F/C | F/C | F/C | F/C | F/C |
| Maine | | | | | | | | |
| GJ Superior | NR | NR | NR | NR | NR | NR | NR | NR |
| GJ District | NR | NR | NR | NR | NR | NR | NR | NR |
| LJ Probate | NR | NR | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | | | |
| GJ Circuit | 107 | 107 | 0 | S | S | S/C | F/C | C |
| LJ District | 104 | 104 | 0 | S | S | ~ | S | S |
| LJ Orphan's | N/S | N/S | N/S | S | ~ | ~ | ~ | ~ |
| Massachusetts | | | | | | | | |
| GJ Superior | 27 | 27 | 0 | S | S | S | S | S |
| LJ District | 49 | 49 | 0 | S | S | S | S | S |
| LJ Probate & Family | 23 | 23 | 0 | S | S | S | S | S |
| LJ Juvenile | 12 | 12 | 0 | S | S | S | S | S |
| LJ Housing | 5 | 5 | 0 | S | S | S | S | S |
| LJ Boston Municipal | 12 | 12 | 0 | S | S | S | S | S |
| LJ Land | 3 | 3 | 0 | S | S | S | S | S |
| Michigan | | | | | | | | |
| GJ Circuit | N/S | N/S | N/S | S | C | C | C | C |
| GJ Claims | N/S | N/S | N/S | S | C | S/C | S/C | S/C |
| LJ District | N/S | N/S | N/S | S | C | C | C | C |
| LJ Probate | N/S | N/S | N/S | S/C | C | C | C | C |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| Minnesota | | | | | | | | |
| GJ District | 218 | 197 | 21 | S | S/C | S | S | S/C |
| Mississippi | | | | | | | | |
| GJ Circuit | N/S | 8 | N/S | S | C | S/C | C | S/C |
| LJ Chancery | N/S | 8 | N/S | S | C | S/C | C | S/C |
| LJ County | N/S | N/S | N/S | C | C | C | C | C |
| LJ Municipal | N/S | N/S | N/S | C | C | ~ | ~ | C |
| LJ Justice | N/S | N/S | N/S | C | C | ~ | ~ | C |
| Missouri | | | | | | | | |
| GJ Circuit | 202 | 105 | 97 | S | S/C | S/C | S/C | S/C |
| LJ Municipal | N/S | N/S | N/S | C | C | C | ~ | C |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Equipment | | Court record for appeal | Buildings/ Real property | Travel expenses | General operating expenses | Indigent defense | Child support enforcement |
|-------------------------------|------------|---------------|-------------------------|--------------------------|-----------------|----------------------------|------------------|---------------------------|
| | Automation | Other capital | | | | | | |
| Indiana | | | | | | | | |
| GJ Superior and Circuit | F/US | ~ | C | C | S | C | S/C | ~ |
| GJ Probate | C | C | C | C | C | C | ~ | ~ |
| LJ County | C | C | C | C | C | C | S/C | C |
| LJ City and Town | C | C | ~ | C | C | C | C | ~ |
| LJ Small Claims/Marion County | C | C | ~ | C | C | C | ~ | ~ |
| Iowa | | | | | | | | |
| GJ District | S | S | S | C | S | S | S | S |
| Kansas | | | | | | | | |
| GJ District | S/C | C | C | C | S/C | C | S | S |
| LJ Municipal | C | C | C | C | C | C | C | ~ |
| Kentucky | | | | | | | | |
| GJ Circuit | S | S | S | S | S | S | ~ | ~ |
| LJ District | S | S | S | S | S | S | ~ | ~ |
| Louisiana | | | | | | | | |
| GJ District | F/C | F/C | F/C | C | S/F/C | S/F/C | S/F | F |
| GJ Juvenile & Family | F/C | F/C | F/C | C | S/F/C | S/F/C | S/F/C | F/US |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Mayor's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City & Parish | F/C | F/C | F/C | C | F/C | F/C | F/S | F |
| Maine | | | | | | | | |
| GJ Superior | NR | NR | NR | NR | NR | NR | NR | NR |
| GJ District | NR | NR | NR | NR | NR | NR | NR | NR |
| LJ Probate | NR | NR | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | | | |
| GJ Circuit | S/C | C | S/C | C | S/C | C | ~ | ~ |
| LJ District | S | S | S | S | S | S | S | ~ |
| LJ Orphan's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Massachusetts | | | | | | | | |
| GJ Superior | S | S | S | S | S | S | S | ~ |
| LJ District | S | S | S | S | S | S | S | ~ |
| LJ Probate & Family | S | S | S | S | S | S | S | ~ |
| LJ Juvenile | S | S | S | S | S | S | S | ~ |
| LJ Housing | S | S | S | S | S | S | S | ~ |
| LJ Boston Municipal | S | S | S | S | S | S | S | ~ |
| LJ Land | S | S | S | S | S | S | ~ | ~ |
| Michigan | | | | | | | | |
| GJ Circuit | S/C | C | C | C | S/C | C | S/C | S/C/US |
| GJ Claims | S/C | S/C | S/C | S/C | S/C | S/C | S/C | ~ |
| LJ District | S/C | C | C | C | C | C | C | ~ |
| LJ Probate | C | C | C | C | C | C | C | ~ |
| LJ Municipal | C | C | C | C | C | C | C | ~ |
| Minnesota | | | | | | | | |
| GJ District | S | S/C | S/C | C | S | S/C | S | ~ |
| Mississippi | | | | | | | | |
| GJ Circuit | S/C | C | C | C | S/C | S | C | S |
| LJ Chancery | S/C | S/C | ~ | C | S/C | S | N/S | S |
| LJ County | C | C | ~ | C | C | C | C | C |
| LJ Municipal | C | C | ~ | C | C | C | N/S | N/S |
| LJ Justice | C | C | ~ | C | C | C | N/S | N/S |
| Missouri | | | | | | | | |
| GJ Circuit | S/C | C | S/F | C | S/C | C | S | ~ |
| LJ Municipal | F/C | C | ~ | C | C | C | C | ~ |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Juvenile probation/detention | Security | Language interpreters | | | Jury costs | Pretrial services | Adult probation | ADA compliance |
|-------------------------------|------------------------------|----------|-----------------------|------|-----|------------|-------------------|-----------------|----------------|
| | | | Foreign | Sign | | | | | |
| Indiana | | | | | | | | | |
| GJ Superior and Circuit | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| GJ Probate | ~ | C | C | C | C | C | ~ | C | |
| LJ County | ~ | C | C | C | C | C | C | C | |
| LJ City and Town | ~ | C | C | C | C | C | C | C | |
| LJ Small Claims/Marion County | ~ | C | C | C | ~ | C | ~ | C | |
| Iowa | | | | | | | | | |
| GJ District | S/C | C | S/F | C | S | S | S | C | |
| Kansas | | | | | | | | | |
| GJ District | S/C | C | C | C | C | C | C | C | |
| LJ Municipal | C | C | C | C | ~ | C | C | C | |
| Kentucky | | | | | | | | | |
| GJ Circuit | ~ | S | S | S | ~ | S | ~ | S/C | |
| LJ District | ~ | S | S | S | ~ | S | ~ | S/C | |
| Louisiana | | | | | | | | | |
| GJ District | S/F/C | F/C | F/C | F/C | F/C | F/C | F/C | F/C | |
| GJ Juvenile & Family | S/F/C | F/C | F/C | F/C | ~ | F/C | ~ | F/C | |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | |
| LJ Mayor's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | |
| LJ City & Parish | S/F/C | F/C | F/C | F/C | ~ | F/C | S/F/C | F/C | |
| Maine | | | | | | | | | |
| GJ Superior | NR | NR | NR | NR | NR | NR | NR | NR | |
| GJ District | NR | NR | NR | NR | NR | NR | NR | NR | |
| LJ Probate | NR | NR | NR | NR | NR | NR | NR | NR | |
| Maryland | | | | | | | | | |
| GJ Circuit | ~ | C | S | S | S/C | C | ~ | S/C | |
| LJ District | S | S | S | S | ~ | S | S | S | |
| LJ Orphan's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | |
| Massachusetts | | | | | | | | | |
| GJ Superior | S | S | S | S | S | S | S | S | |
| LJ District | S | S | S | S | S | S | S | S | |
| LJ Probate & Family | ~ | S | S | S | ~ | S | S | S | |
| LJ Juvenile | S | S | S | S | S | S | S | S | |
| LJ Housing | ~ | S | S | S | S | S | ~ | S | |
| LJ Boston Municipal | ~ | S | S | S | S | S | S | S | |
| LJ Land | ~ | S | S | S | ~ | ~ | ~ | S | |
| Michigan | | | | | | | | | |
| GJ Circuit | C | C | C | C | S/C | C | S | C | |
| GJ Claims | ~ | C | S/C | S/C | S/C | ~ | ~ | C | |
| LJ District | ~ | C | C | C | S/C | C | C | C | |
| LJ Probate | ~ | C | C | C | C | ~ | ~ | C | |
| LJ Municipal | ~ | C | C | C | S/C | C | C | C | |
| Minnesota | | | | | | | | | |
| GJ District | ~ | S/C | S | S | S | ~ | ~ | S/C | |
| Mississippi | | | | | | | | | |
| GJ Circuit | C | C | C | C | C | N/S | N/S | C | |
| LJ Chancery | C | C | C | C | C | N/S | N/S | C | |
| LJ County | C | C | C | C | C | N/S | N/S | C | |
| LJ Municipal | N/S | C | C | C | C | N/S | N/S | C | |
| LJ Justice | N/S | C | C | C | C | N/S | N/S | C | |
| Missouri | | | | | | | | | |
| GJ Circuit | S/C | C | S/C/US | S | S/C | C | ~ | S/C | |
| LJ Municipal | ~ | C | S | S | C | C | C | C | |

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Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Judicial expenditures (millions) | | | Source of salaries for: | | | | |
|-----------------------------------|----------------------------------|--------------------|------------------|-------------------------|-----------------|----------------------------|-----------------|-----------------------|
| | \$ Total | Paid by State | Paid by locality | Judicial | Clerks of court | Trial court administrators | Court reporters | Other court personnel |
| Montana | | | | | | | | |
| GJ District | 30.4 ¹⁶ | 30.4 ¹⁶ | 0 | S | C | S | S | S |
| GJ Workers' Compensation | .4 | .4 | 0 | S | S | ~ | ~ | S |
| GJ Water | .75 | .75 | 0 | S | S | S | ~ | S |
| LJ Justice of the Peace | N/S | N/S | N/S | C | C | ~ | ~ | C |
| LJ Municipal | N/S | N/S | N/S | C | C | ~ | C | C |
| LJ City | N/S | N/S | N/S | C | C | C | ~ | C |
| Nebraska | | | | | | | | |
| GJ District | 20 | 10 | 10 | S | C | C | S | C |
| LJ Separate Juvenile | 4 | 2 | 2 | S | C | C | S | C |
| LJ County | 20 | 15 | 5 | S | S | S | S | S |
| LJ Workers' Compensation | 4 ¹⁷ | 0 | 0 | 17 | 17 | 17 | 17 | 17 |
| Nevada | | | | | | | | |
| GJ District | 100 | 10 | 90 | S | C | C | C | C |
| LJ Justice | 30 | .1 | 26 ¹⁸ | C | C | C | C | C |
| LJ Municipal | 31 | 0 | 31 | C | C | C | ~ | C |
| New Hampshire | | | | | | | | |
| GJ Superior | 18 | 17 | 0 ¹⁹ | S | S | S | S | S |
| LJ District | 16 | 16 | 0 | S | S | S | ~ | S |
| LJ Probate | 4 | 4 | 0 | S | S | S | ~ | S |
| New Jersey | | | | | | | | |
| GJ Superior | 404 | 348 | 0 ²⁰ | S | S | S | S | S |
| LJ Tax | 3 | 3 | 0 | S | S | S | S | S |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| New Mexico | | | | | | | | |
| GJ District | 56 | 49 | 3 ²¹ | S | S | S | S/Attorneys | S |
| LJ Magistrate | 20 | 17 | .8 ²² | S | S | ~ | ~ | S/F |
| LJ Metropolitan/Bernalillo County | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | |
| GJ Supreme | 452 | 452 | 0 | S | S | S | S | S |
| GJ County | 23 | 23 | 23 | S | S | S | S | S |
| GJ Claims | 14 | 14 | 0 | S | S | S | S | S |
| LJ Surrogates' | 37 | 37 | 0 | S | S | S | S | S |
| LJ Family | 161 | 161 | 0 | S | S | S | S | S |
| LJ District and City | 100 | 100 | 0 | S | S | S | S | S |
| LJ NYC Civil | 56 | 56 | 0 | S | S | S | S | S |
| LJ NYC Criminal | 101 | 101 | 0 | S | S | S | S | S |
| LJ Town & Village Justice | N/S | 1 ²⁴ | 100% | C | C | S | ~ | C |
| North Carolina | | | | | | | | |
| GJ Superior | 32 | 32 | 0 | S | S | S | S | S |
| LJ District | 70 | 70 | 0 | S | S | S | S | S |
| North Dakota | | | | | | | | |
| GJ District | 36 | 36 | 0 | S | S | S | S | S |
| LJ Municipal | N/S | N/S | N/S | C | C | N/S | N/S | C |
| Ohio | | | | | | | | |
| GJ Common Pleas | N/S | N/S | N/S | S/C | S/C | F/C | C | C |
| LJ Municipal | N/S | N/S | N/S | S/C | C | C | C | C |
| LJ County | N/S | N/S | N/S | S/C | C | C | C | C |
| LJ Claims | 2 | 2 | N/S | S | S | S | S | S |
| LJ Mayor's | N/S | N/S | N/S | C | C | C | C | C |
| Oklahoma | | | | | | | | |
| GJ District | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal of Record | N/S | N/S | N/S | C | C | C | C | C |
| LJ Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Tax Review | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |

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Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Equipment | | Court record for appeal | Buildings/ Real property | Travel expenses | General operating expenses | Indigent defense | Child support enforcement |
|-----------------------------------|-----------------|-----------------|-------------------------|--------------------------|-----------------|----------------------------|------------------|---------------------------|
| | Automation | Other capital | | | | | | |
| Montana | | | | | | | | |
| GJ District | S | S | S | C | S | S | S | ~ |
| GJ Workers' Compensation | S | S | S | S | S | S | ~ | ~ |
| GJ Water | S | S | S | S | S | S | ~ | ~ |
| LJ Justice of the Peace | S | C | ~ | C | C | C | C | ~ |
| LJ Municipal | S | C | C | C | C | C | C | ~ |
| LJ City | S | C | ~ | C | C | C | C | ~ |
| Nebraska | | | | | | | | |
| GJ District | S/C | C | S | C | S/C | C | C | S/C |
| LJ Separate Juvenile | S/C | C | C | C | S | C | C | ~ |
| LJ County | S ₁₇ | C ₁₇ | S ₁₇ | C ₁₇ | S ₁₇ | C ₁₇ | C | ~ |
| LJ Workers' Compensation | | | | | | | ~ | ~ |
| Nevada | | | | | | | | |
| GJ District | C | C | C | C | C | C | C | ~ |
| LJ Justice | C | C | C | C | C | C | C | ~ |
| LJ Municipal | C | C | ~ | C | C | C | C | ~ |
| New Hampshire | | | | | | | | |
| GJ Superior | S | S | Parties | S | S | S | ~ | ~ |
| LJ District | S | S | Parties | S | S | S | ~ | ~ |
| LJ Probate | S | S | Parties | S | S | S | ~ | ~ |
| New Jersey | | | | | | | | |
| GJ Superior | S | S | S | C | S | S | ~ | S/US |
| LJ Tax | S | S | S | S | S | S | ~ | ~ |
| LJ Municipal | S | C | C | C | C | C | C | ~ |
| New Mexico | | | | | | | | |
| GJ District | S/F | S | S/Parties | C | S | S | S | S/US |
| LJ Magistrate | S/F | S | ~ | S | S | S/F | S | ~ |
| LJ Metropolitan/Bernalillo County | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | |
| GJ Supreme | S | C | C | S/C | S | S | C | C |
| GJ County | S | C | C | S/C | S | S | C | C |
| GJ Claims | S | C | C | S/C | S | S | C | C |
| LJ Surrogates' | S | C | ~ | S/C | S | S | ~ | ~ |
| LJ Family | S | C | C | S/C | S | S | C | C |
| LJ District and City | S | C | C | S/C | S | S | C | C |
| LJ NYC Civil | S | C | C | S/C | S | S | C | C |
| LJ NYC Criminal | S | S | S | S/C | S | S | C | C |
| LJ Town & Village Justice | S/C | C | C | C | C | C | C | C |
| North Carolina | | | | | | | | |
| GJ Superior | S | S | S/F | C | S | S | S | S/C |
| LJ District | S | S | S/F | C | S | S | S | S/C |
| North Dakota | | | | | | | | |
| GJ District | S | S | ~ | C | S | S | S | S |
| LJ Municipal | S | S | ~ | C | C | C | C | ~ |
| Ohio | | | | | | | | |
| GJ Common Pleas | F/C | C | C | C | C | C | S/C/F | S/C |
| LJ Municipal | F/C | C | C | C | C | C | C | C |
| LJ County | F/C | C | C | C | C | C | C | C |
| LJ Claims | S | S | S | S | S | S | ~ | ~ |
| LJ Mayor's | C | C | C | C | C | C | C | C |
| Oklahoma | | | | | | | | |
| GJ District | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal of Record | C | C | C | C | C | C | C | ~ |
| LJ Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Tax Review | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |

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Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Juvenile probation/detention | Language interpreters | | | Jury costs | Pretrial services | Adult probation | ADA compliance |
|-----------------------------------|------------------------------|-----------------------|---------|------|------------|-------------------|-----------------|----------------|
| | | Security | Foreign | Sign | | | | |
| Montana | | | | | | | | |
| GJ District | S | C | S | S | S | S | ~ | S |
| GJ Workers' Compensation | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| GJ Water | ~ | C | S | S | ~ | S | ~ | S |
| LJ Justice of the Peace | ~ | C | C | C | C | C | ~ | C |
| LJ Municipal | ~ | C | C | C | C | C | ~ | C |
| LJ City | ~ | C | C | C | C | C | ~ | C |
| Nebraska | | | | | | | | |
| GJ District | S/C | C | S | S | C | C | S | S/C |
| LJ Separate Juvenile | S/C | ~ | S | S | ~ | C | S | S/C |
| LJ County | S/C | 17 | S | S | C | C | S | S/C |
| LJ Workers' Compensation | ~ | | S | S | ~ | ~ | ~ | 17 |
| Nevada | | | | | | | | |
| GJ District | C | C | C | N/S | F/C | ~ | ~ | N/S |
| LJ Justice | ~ | C | C | C | N/S | ~ | ~ | N/S |
| LJ Municipal | ~ | C | C | C | ~ | C | C | N/S |
| New Hampshire | | | | | | | | |
| GJ Superior | ~ | S | S | S | S | ~ | ~ | S |
| LJ District | ~ | S | S | S | ~ | ~ | ~ | S |
| LJ Probate | ~ | S | S | S | ~ | ~ | ~ | S |
| New Jersey | | | | | | | | |
| GJ Superior | S/C | S/C | S | S | S | S/C | S | S |
| LJ Tax | ~ | S | S | S | ~ | ~ | ~ | S |
| LJ Municipal | ~ | C | C | C | ~ | ~ | S | C |
| New Mexico | | | | | | | | |
| GJ District | S/C | S/C | S | S | S/Parties | S | S | S |
| LJ Magistrate | ~ | S | S | S | S/F | ~ | C | S |
| LJ Metropolitan/Bernalillo County | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | |
| GJ Supreme | S | S | S | S | S | S | C | C |
| GJ County | S | S | S | S | S | S | C | C |
| GJ Claims | S | S | S | S | S | S | C | C |
| LJ Surrogates' | S | S | S | S | S | S | C | C |
| LJ Family | S | S | S | S | S | S | C | C |
| LJ District and City | S | S | S | S | S | S | C | C |
| LJ NYC Civil | S | S | S | S | S | S | C | C |
| LJ NYC Criminal | S | S | S | S | S | S | C | C |
| LJ Town & Village Justice | S | C | C | C | S | C | C | C |
| North Carolina | | | | | | | | |
| GJ Superior | ~ | C | S/F | S | S | ~ | ~ | S/C |
| LJ District | ~ | C | S/F | S | S | ~ | ~ | S/C |
| North Dakota | | | | | | | | |
| GJ District | S | C | S | S | S | C | S | C |
| LJ Municipal | ~ | C | C | C | ~ | C | ~ | C |
| Ohio | | | | | | | | |
| GJ Common Pleas | S/C | C | C | C | C | C | C | C |
| LJ Municipal | C | C | C | C | C | C | C | C |
| LJ County | C | C | C | C | C | C | C | C |
| LJ Claims | ~ | S | S | S | S | ~ | ~ | S |
| LJ Mayor's | C | C | C | C | C | C | C | C |
| Oklahoma | | | | | | | | |
| GJ District | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal of Record | C | C | C | C | C | C | C | C |
| LJ Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Tax Review | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Judicial expenditures (millions) | | | Source of salaries for: | | | | |
|--------------------------------|----------------------------------|--------------------|------------------|-------------------------|-----------------|----------------------------|-----------------|-----------------------|
| | \$ Total | Paid by State | Paid by locality | Judicial | Clerks of court | Trial court administrators | Court reporters | Other court personnel |
| Oregon | | | | | | | | |
| GJ Circuit | 200 | 184 | 0 ²⁵ | S | ~ | S | S | S |
| GJ Tax | 3 | 3 | 0 | S | ~ | S | S | S |
| LJ County | N/S | N/S | N/S | C | C | C | C | C |
| LJ Justice | N/S | N/S | N/S | C | C | C | C | C |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| Pennsylvania | | | | | | | | |
| GJ Common Pleas | N/S | 105 | N/S | S | C | S | C | C |
| LJ Philadelphia Municipal | N/S | 5 | N/S | S | C | S | C | C |
| LJ Magisterial District Judges | N/S | 52 | N/S | S | C | S | ~ | C |
| LJ Philadelphia Traffic | N/S | .7 | N/S | S | C | S | ~ | S |
| Puerto Rico | | | | | | | | |
| GJ First Instance | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | | | |
| GJ Superior | 17 | 17 | 0 | S/US | S | S | S | S |
| LJ Workers' Compensation | 7 | .8 | 0 ²⁷ | F | F | F | F | F |
| LJ District | 8 | 8 | 0 | S | S | S | S | S |
| LJ Family | 17 | 14 | 0 ²⁸ | S/US | S | S | S | S/US |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Traffic Tribunal | 6 | 6 | 0 | S | S | S | S | S |
| South Carolina | | | | | | | | |
| GJ Circuit | N/S | 10 | N/S | S | C | ~ | S | S/C |
| LJ Family | N/S | 9 | N/S | S | C | ~ | S | S/C |
| LJ Magistrate | 32 | 0 | 32 | C | C | C | ~ | C |
| LJ Probate | N/S | N/S | N/S | C | C | ~ | ~ | C |
| LJ Municipal | 14 | 0 | 14 | C | C | C | ~ | C |
| South Dakota | | | | | | | | |
| GJ Circuit | 26.5 ²⁹ | 26.5 ²⁹ | 0 ²⁹ | S | S | S | S | S |
| LJ Magistrate | | | | S | S | S | S | S |
| Tennessee | | | | | | | | |
| GJ Circuit | N/S | N/S | N/S | S | C | C | S | S |
| GJ Chancery | N/S | N/S | N/S | S | C | C | S | C |
| GJ Criminal | N/S | N/S | N/S | S | C | C | S | C |
| GJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Juvenile | N/S | N/S | N/S | C | C | C | C | C |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| LJ General Sessions | N/S | N/S | N/S | C | C | C | C | C |
| Texas | | | | | | | | |
| GJ District | N/S | N/S | N/S | S/C | C | C | C | C |
| LJ County-level | N/S | N/S | N/S | S/C | C | C | C | C |
| LJ Justice of the Peace | N/S | N/S | N/S | C | C | ~ | ~ | C |
| LJ Municipal | N/S | N/S | N/S | C | C | C | C | C |
| Utah | | | | | | | | |
| GJ District | 33 | 32 | 1 | S | S | S | S/F | S |
| LJ Justice | N/S | N/S | N/S | C | C | C | ~ | C |
| LJ Juvenile | 25 | 24.25 | 0 ³⁰ | S | S | S | S | S |
| Vermont | | | | | | | | |
| GJ Superior | 6 | 3 | 3 | S | S | S | S | C |
| GJ District | 8 | 8 | 0 | S | S | S | S | S |
| GJ Family | 9 | 9 | 0 | S | S | S | S | S |
| LJ Probate | 3 | 3 | .4 | S | S | ~ | S | S |
| LJ Environmental | .3 | .3 | 0 | S | S | S | S | S |
| LJ Judicial Bureau | 1 | 1 | 0 | S | S | S | S | S |
| Virginia | | | | | | | | |
| GJ Circuit | N/S | 112 | N/S | S | S/C | ~ | ~ | S/C |
| LJ District | 157 | 157 | 0 | S | S | ~ | ~ | S |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Equipment | | Court record for appeal | Buildings/ Real property | Travel expenses | General operating expenses | Indigent defense | Child support enforcement |
|--------------------------------|------------|---------------|-------------------------|--------------------------|-----------------|----------------------------|------------------|---------------------------|
| | Automation | Other capital | | | | | | |
| Oregon | | | | | | | | |
| GJ Circuit | S | S | S/C | C | S/US | S | S | S/C |
| GJ Tax | S | S | S | S | S | S | ~ | ~ |
| LJ County | C | C | C | C | C | C | C | C |
| LJ Justice | C | C | C | C | C | C | C | ~ |
| LJ Municipal | C | C | C | C | C | C | C | ~ |
| Pennsylvania | | | | | | | | |
| GJ Common Pleas | S/C | C | C | C | S/C | C | C | S/C/US |
| LJ Philadelphia Municipal | C | C | C | C | S/C | C | C | US |
| LJ Magisterial District Judges | S/C | C | C | C | S/C | C | C | ~ |
| LJ Philadelphia Traffic | C | C | C | C | S/C | C | ~ | ~ |
| Puerto Rico | | | | | | | | |
| GJ First Instance | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | | | |
| GJ Superior | S | S | S | S | S | S | S | ~ |
| LJ Workers' Compensation | F | F | F | S | F | F | ~ | ~ |
| LJ District | S | S | S | S | S | S | S | ~ |
| LJ Family | S | S | S/Attorneys | S | S/US | S | S | S/US |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Traffic Tribunal | S | S | S | S | S | S | ~ | ~ |
| South Carolina | | | | | | | | |
| GJ Circuit | S/US/C | S/C | ~ | C | S | S/C | S | ~ |
| LJ Family | S/US/C | S/C | C | C | S | S/C | S | S/C |
| LJ Magistrate | US/C | C | C | C | C | C | S/C | ~ |
| LJ Probate | C | C | C | C | C | C | ~ | ~ |
| LJ Municipal | US/C | C | C | C | C | C | S/C | ~ |
| South Dakota | | | | | | | | |
| GJ Circuit | S | S | S | C | S | S | C | ~ |
| LJ Magistrate | S | S | S | C | S | S | C | ~ |
| Tennessee | | | | | | | | |
| GJ Circuit | S | S | C | C | S | S | S | S/US |
| GJ Chancery | S | S | C | C | S | S | S | S/US |
| GJ Criminal | S | S | C | C | S | S | S | S/US |
| GJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Juvenile | C | C | C | C | C | C | S | S/US |
| LJ Municipal | C | C | C | C | C | C | S | S/US |
| LJ General Sessions | C | C | C | C | C | C | S | S/US |
| Texas | | | | | | | | |
| GJ District | C | C | C | C | S/C | C | S/C | S/C |
| LJ County-level | C | C | C | C | C | C | S/C | S/C |
| LJ Justice of the Peace | C | C | C | C | C | C | ~ | ~ |
| LJ Municipal | C | C | C | C | C | C | ~ | ~ |
| Utah | | | | | | | | |
| GJ District | S | S | F | S | S | S | C | S/US |
| LJ Justice | C/F/S | C/F | C | C | C | C | C | ~ |
| LJ Juvenile | S | S | S | S | S | S | C | S |
| Vermont | | | | | | | | |
| GJ Superior | S/US/C | C | S | C | S | S/C | ~ | ~ |
| GJ District | S | S | S | ~ | S | S | ~ | ~ |
| GJ Family | S | S | S | ~ | S | S | ~ | ~ |
| LJ Probate | C | C | S | C | S | S/C | ~ | ~ |
| LJ Environmental | S | S | S | ~ | S | S | ~ | ~ |
| LJ Judicial Bureau | S | S | S | ~ | S | S | ~ | ~ |
| Virginia | | | | | | | | |
| GJ Circuit | S/C | C | S/C | C | S/C | S/C | S/C | ~ |
| LJ District | S/C | C | ~ | C | S | S | S/C | ~ |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Juvenile probation/detention | Security | Language interpreters | | Jury costs | Pretrial services | Adult probation | ADA compliance |
|--------------------------------|------------------------------|-------------------|-----------------------|-----------|------------|-------------------|-----------------|----------------|
| | | | Foreign | Sign | | | | |
| Oregon | | | | | | | | |
| GJ Circuit | C | S/C ²⁶ | S | S | S | C | C | S/US |
| GJ Tax | ~ | S | S | S | ~ | ~ | ~ | S |
| LJ County | C | C | C | C | ~ | C | ~ | C |
| LJ Justice | C | C | C | C | C | C | C | C |
| LJ Municipal | ~ | C | C | C | C | C | C | C |
| Pennsylvania | | | | | | | | |
| GJ Common Pleas | ~ | C | C | C | S/C | C | ~ | C |
| LJ Philadelphia Municipal | ~ | C | C | C | C | C | ~ | C |
| LJ Magisterial District Judges | ~ | C | C | C | ~ | ~ | ~ | C |
| LJ Philadelphia Traffic | ~ | C | C | C | ~ | ~ | ~ | C |
| Puerto Rico | | | | | | | | |
| GJ First Instance | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | | | |
| GJ Superior | ~ | S | S | S | S | S | ~ | S |
| LJ Workers' Compensation | ~ | S | Attorneys | Attorneys | ~ | ~ | ~ | S/F |
| LJ District | ~ | S | S | S | ~ | S | ~ | S |
| LJ Family | ~ | S | S | S | S | S/US | ~ | S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Traffic Tribunal | ~ | S | S | S | ~ | ~ | ~ | S |
| South Carolina | | | | | | | | |
| GJ Circuit | ~ | C | S/C | S/C | C | ~ | S | C |
| LJ Family | S | C | S/C | S/C | ~ | ~ | ~ | C |
| LJ Magistrate | ~ | C | S/C | S/C | C | C | ~ | C |
| LJ Probate | ~ | C | S/C | S/C | C | ~ | ~ | C |
| LJ Municipal | ~ | C | S/C | S/C | C | C | ~ | C |
| South Dakota | | | | | | | | |
| GJ Circuit | S | C | C | C | C | ~ | S | C |
| LJ Magistrate | S | C | C | C | C | ~ | S | C |
| Tennessee | | | | | | | | |
| GJ Circuit | C | C | S/C | S/C | C | C | S | C |
| GJ Chancery | C | C | S/C | S/C | C | C | S | C |
| GJ Criminal | C | C | S/C | S/C | C | C | C | C |
| GJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Juvenile | C | C | S | C | C | C | ~ | C |
| LJ Municipal | C | C | S | C | ~ | ~ | ~ | C |
| LJ General Sessions | C | C | S | C | C | C | C | C |
| Texas | | | | | | | | |
| GJ District | S/C | C | C | C | C | C | S/C | C |
| LJ County-level | C | C | C | C | C | C | S/C | C |
| LJ Justice of the Peace | ~ | C | C | C | C | ~ | ~ | C |
| LJ Municipal | ~ | C | C | C | C | ~ | ~ | C |
| Utah | | | | | | | | |
| GJ District | S | S | S | S | S | C | S | S |
| LJ Justice | ~ | C/F | C | C | C | C | ~ | C |
| LJ Juvenile | S | S/C | S | S | S | C | S | S |
| Vermont | | | | | | | | |
| GJ Superior | ~ | S/C | S | S | S | ~ | ~ | S/C |
| GJ District | ~ | S | S | S | S | ~ | ~ | S |
| GJ Family | ~ | S | S | S | ~ | ~ | ~ | S |
| LJ Probate | ~ | C | S | S | ~ | ~ | ~ | S |
| LJ Environmental | ~ | S | S | S | ~ | ~ | ~ | S |
| LJ Judicial Bureau | ~ | S | S | S | ~ | ~ | ~ | S |
| Virginia | | | | | | | | |
| GJ Circuit | ~ | C | S | S | S | ~ | ~ | S/C |
| LJ District | ~ | C | S | S | ~ | ~ | ~ | S/C |

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Judicial expenditures (millions) | | | Source of salaries for: | | | | |
|----------------------|----------------------------------|------------------|-------------------|-------------------------|-----------------|----------------------------|-----------------|-----------------------|
| | \$ Total | Paid by State | Paid by locality | Judicial | Clerks of court | Trial court administrators | Court reporters | Other court personnel |
| Washington | | | | | | | | |
| GJ Superior | 234 ³¹ | 45 ³¹ | 189 ³¹ | S/C | C | C | C | C |
| LJ District | 65 ³¹ | 0 | 65 ³¹ | C/F | C/F | C/F | ~ | C |
| LJ Municipal | 43 ³¹ | 0 | 43 ³¹ | C | C | C/F | ~ | C |
| West Virginia | | | | | | | | |
| GJ Circuit | N/S | N/S | N/S | S | C | S | S | S |
| LJ Magistrate | N/S | N/S | N/S | S | S | S | S | S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Family | 7 | N/S | N/S ³³ | S | C | C | ~ | S |
| Wisconsin | | | | | | | | |
| GJ Circuit | 187 | 90 | 97 | S | C | S | S | C |
| LJ Municipal | N/S | N/S | N/S | C/F | C/F | C/F | C/F | C/F |
| Wyoming | | | | | | | | |
| GJ District | 25 | 10 | 15 | S | C | ~ | S | S/C |
| LJ Circuit | 17 | 17 | .5 | S | S | ~ | ~ | S |
| LJ Municipal | N/S | N/S | N/S | C | C | ~ | ~ | C |

FOOTNOTES:

Alabama:

¹ Circuit and District Court funding is unified. The total budget for both courts is \$151 million.

Alaska:

² The court system does not break down trial court costs between the Superior and District courts. Total expenses equaled \$44 million in FY 2004.

³ Although the judicial branch is generally not responsible for providing foreign language interpreters, there are some instances where it is provided. In that case, 60 percent of the funding comes from the state and 40 percent from the federal government.

Colorado:

⁴ The expenses for the Denver Juvenile Court are included in the Denver District Court budget.

⁵ The expenses for the Water and County Courts are included in the District Court budget.

Connecticut:

⁶ Approximately 93 percent of the Probate Court budget is generated by fees and surcharges.

Delaware:

⁷ Approximately 2.4 percent of the total Court of Common Pleas budget is generated by fees and surcharges.

District of Columbia:

⁸ The Superior Court receives funding directly from Congress.

Florida:

⁹ Circuit and County Court funding is unified. The total budget for both courts is \$331 million.

Hawaii:

¹⁰ Expenditures are tracked by geographical circuits rather than by levels of court.

Idaho:

¹¹ The expenses for the Magistrate's Division are included in the District Court budget.

Kentucky:

¹² The remainder of Circuit Court expenditures are paid by federal funds.

Louisiana:

¹³ Approximately 15 percent of the Juvenile and Family Court budget is generated by fees and surcharges.

¹⁴ Approximately 53 percent of the Justice of the Peace Court budget is generated by fees and surcharges.

¹⁵ Approximately 48 percent of the City and Parish Court budget is generated by fees and surcharges.

Montana:

¹⁶ Includes \$11.5 million of variable costs, which are primarily public defender costs paid by the judiciary.

Nebraska:

¹⁷ The Worker's Compensation Court is funded by a cash fund which is supported by assessments against Workers' Compensation insurers, self insured employers and intergovernmental risk management pools.

Nevada:

¹⁸ Approximately four percent of the Justice Court budget is generated by fees and surcharges.

New Hampshire:

¹⁹ The remainder of Superior Court expenditures are paid by federal funds.

New Jersey:

²⁰ The Superior Court generates approximately \$60 million in fees that are returned to the general fund.

New Mexico:

²¹ Approximately one percent of the District Court budget is generated by fees and surcharges.

²² Approximately 13 percent of the Magistrate Court budget is generated by fees and surcharges.

New York:

²³ The expenses for the County Court are included in the Supreme Court budget.

²⁴ The state funds the Town and Village Resource Center and the Justice Court Assistance Program for the Town and Village Courts.

Oregon:

²⁵ The remainder of Circuit Court expenditures are paid by federal and grant funds.

²⁶ Some Circuit Courts cover security improvements with their operating budget, which is funded by the state.

Rhode Island:

²⁷ Approximately 90 percent of the Worker's Compensation Court budget is generated by assessment fees that are paid by insurance carriers and self-insured employers and that are based on gross premiums of Worker's Compensation insurance.

²⁸ The remainder of Family Court expenditures are paid by federal funds.

South Dakota:

²⁹ The expenses for the Magistrate Court are included in the Circuit Court budget.

Utah:

³⁰ Approximately three percent of the Juvenile Court budget is generated by fees and surcharges.

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | Equipment | | Court record for appeal | Buildings/ Real property | Travel expenses | General operating expenses | Indigent defense | Child support enforcement |
|----------------------|------------|---------------|-------------------------|--------------------------|-----------------|----------------------------|-------------------|---------------------------|
| | Automation | Other capital | | | | | | |
| Washington | | | | | | | | |
| GJ Superior | S/C | C | C | C | S/C | C | C | C |
| LJ District | S/C | C | C | C | C | C | C/F | ~ |
| LJ Municipal | C | C | C | C | C | C | C/F | ~ |
| West Virginia | | | | | | | | |
| GJ Circuit | S | C | S ³² | C | S | C | S | S |
| LJ Magistrate | S | S | S | S | S | S | S | S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Family | S | S | C | S | S | S | ~ | S |
| Wisconsin | | | | | | | | |
| GJ Circuit | S | C | F | C | S | C | S/C ³⁴ | ~ |
| LJ Municipal | C/F | C/F | C/F | C/F | C/F | C/F | ~ | ~ |
| Wyoming | | | | | | | | |
| GJ District | S/C | S/C | C | C | S | S/C | ~ | S/C |
| LJ Circuit | S | C | Litigant | C | S | S | ~ | ~ |
| LJ Municipal | S/C | C | C | C | C | C | ~ | ~ |

Washington:

³¹ These are fiscal year 2000 expenditures. All dollar amounts exclude the cost of indigent defense. Total indigent defense expenditures are estimated at \$79 million and are paid by the counties/localities with some cost recoupment from fees levied as part of the judgment and sentence for convictions in the District and Municipal Courts.

West Virginia:

³² The state pays for the court record for appeal only in cases where the defendant is indigent.

³³ Approximately 12 percent of the Family Court budget is generated by fees and surcharges.

Wisconsin:

³⁴ The county/locality pays the indigent defense costs for those who do not meet the state public defender indigency standards, but the judge has determined are indigent.

Table 17. Trial Court Expenditures and Funding Sources for Selected Expenditure Items

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; S=State; C=County/Locality; F=Fees; US=Federal

| | | Juvenile probation/detention | Language interpreters | | | Jury costs | Pretrial services | Adult probation | ADA compliance |
|----------------------|------------|------------------------------|-----------------------|------|-----|------------|-------------------|-----------------|----------------|
| | | Security | Foreign | Sign | | | | | |
| Washington | | | | | | | | | |
| GJ | Superior | S/C | C | C | C | C | ~ | ~ | C |
| LJ | District | ~ | C | C | C | C | C | C/F | C |
| LJ | Municipal | ~ | C | C | C | C | C | C/F | C |
| West Virginia | | | | | | | | | |
| GJ | Circuit | S | C | S | S | S | C | S | C |
| LJ | Magistrate | S | S | S | S | S | S | S | S |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Family | ~ | C | S | S | ~ | ~ | ~ | S |
| Wisconsin | | | | | | | | | |
| GJ | Circuit | ~ | C | S/C | S/C | C | ~ | ~ | C |
| LJ | Municipal | ~ | C/F | C/F | C/F | ~ | C/F | ~ | C/F |
| Wyoming | | | | | | | | | |
| GJ | District | ~ | C | S/C | S/C | C | ~ | ~ | C |
| LJ | Circuit | ~ | S/US/C | S | S | S | ~ | ~ | N/S |
| LJ | Municipal | ~ | C | C | C | C | ~ | ~ | ~ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | | Total staff | Appointments/Assignments for: | | | | | |
|-----------------------------|--|-------------|-------------------------------|------------------|-------------------------|------------------|-----------------------|----------------------|
| | | | Accounting | Accounts payable | Administrative meetings | Sitting justices | Supplemental justices | Administrative staff |
| Alabama | | | | | | | | |
| SC | Supreme Court | 13 | ● | ● | ○ | ○ | ○ | ● |
| IA | Court of Civil Appeals | 6 | ● | ● | ◐ | ○ | ○ | ◐ |
| IA | Court of Criminal Appeals | 8 | ● | ● | ○ | ○ | ○ | ○ |
| Alaska | | | | | | | | |
| SC | Supreme Court | 12 | ◐ | ○ | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals | 2 | ◐ | ○ | ◐ | ○ | ○ | ◐ |
| Arizona | | | | | | | | |
| SC | Supreme Court | 14 | ◐ | ● | ○ | ○ | ○ | ○ |
| IA | Court of Appeal, Division One | 22 | ● | ● | ○ | ○ | ○ | ● |
| IA | Court of Appeal, Division Two | 10 | ● | ● | ◐ | ○ | ◐ | ○ |
| Arkansas | | | | | | | | |
| SC | Supreme Court | 14 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | 3 | ○ | ○ | ○ | ○ | ○ | ○ |
| California | | | | | | | | |
| SC | Supreme Court | 22 | ◐ | ◐ | ● | ○ | ○ | ● |
| IA | Courts of Appeal, 1 st District | 30 | ◐ | ◐ | ◐ | ○ | ○ | ● |
| IA | Courts of Appeal, 2 nd District | 37 | ● | ● | ● | ◐ | ● | ● |
| IA | Courts of Appeal, 3 rd District | 23 | ◐ | ◐ | ○ | ○ | ○ | ◐ |
| IA | Courts of Appeal, 4 th District | 12 | ● | ● | ● | ○ | ○ | ◐ |
| IA | Courts of Appeal, 5 th District | 17 | ○ | ◐ | ○ | ○ | ○ | ● |
| IA | Courts of Appeal, 6 th District | 10 | ● | ● | ◐ | ○ | ○ | ○ |
| Colorado | | | | | | | | |
| SC | Supreme Court | 6 | ◐ | ● | ○ | ○ | ○ | ◐ |
| IA | Court of Appeals | 9 | ● | ● | ◐ | ● | ● | ● |
| Connecticut | | | | | | | | |
| SC | Supreme Court | 16 | ○ | ○ | ◐ | ○ | ○ | ● |
| IA | Appellate Court | 6 | ○ | ○ | ◐ | ○ | ○ | ● |
| Delaware | | | | | | | | |
| SC | Supreme Court | 5 | ○ | ◐ | ○ | ○ | ◐ | ● |
| District of Columbia | | | | | | | | |
| SC | Court of Appeals | N/S | ● | ● | ● | ○ | ○ | ● |
| Florida | | | | | | | | |
| SC | Supreme Court | NR | NR | NR | NR | NR | NR | NR |
| IA | First District Court of Appeal | 17 | ○ | ○ | ◐ | ○ | ○ | ◐ |
| IA | Second District Court of Appeal | 16 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Third District Court of Appeal | 13 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Fourth District Court of Appeal | 15 | ○ | ○ | ○ | ● | ○ | ○ |
| IA | Fifth District Court of Appeal | 10 | ○ | ○ | ○ | ○ | ○ | ◐ |
| Georgia | | | | | | | | |
| SC | Supreme Court | 10 | ● | ● | ● | ● | ● | ● |
| IA | Court of Appeals | 11 | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| Hawaii | | | | | | | | |
| SC | Supreme Court | 13 | ● | ● | ○ | ○ | ○ | ● |
| IA | Intermediate Court of Appeals | 7 | ● | ● | ○ | ○ | ○ | ● |
| Idaho | | | | | | | | |
| SC | Supreme Court | 7 | ○ | ○ | ○ | ● | ● | ○ |
| IA | Court of Appeals | 8 | ○ | ○ | ○ | ● | ● | ○ |
| Illinois | | | | | | | | |
| SC | Supreme Court | 16 | ◐ | ◐ | ○ | ◐ | ○ | ○ |
| IA | First District Court of Appeals | 29 | ● | ● | ○ | ○ | ○ | ○ |
| IA | Second District Court of Appeals | 13 | ◐ | ○ | ◐ | ○ | ○ | ○ |
| IA | Third District Court of Appeals | 20 | ◐ | ◐ | ◐ | ○ | ○ | ● |
| IA | Fourth District Court of Appeals | 7 | ◐ | ● | ● | ○ | ○ | ● |
| IA | Fifth District Court of Appeals | 14 | ◐ | ◐ | ◐ | ○ | ○ | ◐ |
| Indiana | | | | | | | | |
| SC | Supreme Court | 14 | ● | ● | ● | ○ | ○ | ● |
| IA | Court of Appeals | 9 | ● | ● | ● | ○ | ○ | ● |
| IA | Tax Court | 9 | ○ | ○ | ○ | ○ | ○ | ● |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Attorney admissions | Attorney registration | Audits | Bar grievance matters | Budget preparation | Commissions and boards |
|---|---------------------|-----------------------|--------|-----------------------|--------------------|------------------------|
| Alabama | | | | | | |
| SC Supreme Court | ● | ◐ | ● | ◐ | ● | ○ |
| IA Court of Civil Appeals | ○ | ○ | ● | ○ | ● | ○ |
| IA Court of Criminal Appeals | ○ | ○ | ○ | ○ | ● | ○ |
| Alaska | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| IA Court of Appeals | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| Arizona | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeal, Division One | ○ | ○ | ○ | ○ | ● | ○ |
| IA Court of Appeal, Division Two | ○ | ◐ | ○ | ○ | ● | ○ |
| Arkansas | | | | | | |
| SC Supreme Court | ○ | ◐ | ○ | ○ | ○ | ○ |
| IA Court of Appeals | ○ | ◐ | ○ | ○ | ○ | ○ |
| California | | | | | | |
| SC Supreme Court | ◐ | ◐ | ◐ | ◐ | ◐ | ◐ |
| IA Courts of Appeal, 1 st District | ● | ○ | ○ | ○ | ◐ | ◐ |
| IA Courts of Appeal, 2 nd District | ● | ○ | ● | ○ | ◐ | ◐ |
| IA Courts of Appeal, 3 rd District | ● | ○ | ○ | ○ | ◐ | ○ |
| IA Courts of Appeal, 4 th District | ◐ | ○ | ○ | ○ | ◐ | ○ |
| IA Courts of Appeal, 5 th District | ◐ | ○ | ○ | ○ | ◐ | ○ |
| IA Courts of Appeal, 6 th District | ○ | ○ | ● | ○ | ● | ○ |
| Colorado | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ◐ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ○ |
| Connecticut | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ○ | ○ | ◐ |
| IA Appellate Court | ◐ | ◐ | ○ | ○ | ○ | ◐ |
| Delaware | | | | | | |
| SC Supreme Court | ◐ | ● | ○ | ◐ | ○ | ○ |
| District of Columbia | | | | | | |
| SC Court of Appeals | ● | ◐ | ○ | ◐ | ● | ○ |
| Florida | | | | | | |
| SC Supreme Court | NR | NR | NR | NR | NR | NR |
| IA First District Court of Appeal | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA Second District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Third District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Fourth District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Fifth District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| Georgia | | | | | | |
| SC Supreme Court | ● | ◐ | ● | ◐ | ● | ● |
| IA Court of Appeals | ◐ | ○ | ○ | ○ | ◐ | ○ |
| Hawaii | | | | | | |
| SC Supreme Court | ● | ● | ○ | ○ | ◐ | ○ |
| IA Intermediate Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ○ |
| Idaho | | | | | | |
| SC Supreme Court | ● | ○ | ○ | ◐ | ◐ | ○ |
| IA Court of Appeals | ● | ○ | ○ | ○ | ◐ | ○ |
| Illinois | | | | | | |
| SC Supreme Court | ◐ | ◐ | ◐ | ○ | ○ | ◐ |
| IA First District Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Second District Court of Appeals | ◐ | ○ | ○ | ○ | ◐ | ○ |
| IA Third District Court of Appeals | ○ | ○ | ◐ | ○ | ◐ | ○ |
| IA Fourth District Court of Appeals | ○ | ○ | ◐ | ○ | ○ | ○ |
| IA Fifth District Court of Appeals | ○ | ○ | ◐ | ○ | ◐ | ○ |
| Indiana | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ○ | ● | ◐ |
| IA Court of Appeals | ◐ | ◐ | ○ | ○ | ● | ◐ |
| IA Tax Court | ● | ● | ○ | ○ | ○ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | | Community outreach | Data processing | Facilities management | Generate court statistics | Information/Computer systems | Judicial education |
|-----------------------------|--|--------------------|-----------------|-----------------------|---------------------------|------------------------------|--------------------|
| Alabama | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| IA | Court of Civil Appeals | ◐ | ● | ◐ | ● | ● | ◐ |
| IA | Court of Criminal Appeals | ○ | ◐ | ○ | ● | ◐ | ● |
| Alaska | | | | | | | |
| SC | Supreme Court | ○ | ● | ◐ | ● | ○ | ○ |
| IA | Court of Appeals | ○ | ● | ◐ | ● | ○ | ○ |
| Arizona | | | | | | | |
| SC | Supreme Court | ○ | ◐ | ○ | ◐ | ○ | ○ |
| IA | Court of Appeal, Division One | ● | ● | ○ | ● | ● | ◐ |
| IA | Court of Appeal, Division Two | ○ | ○ | ○ | ◐ | ◐ | ○ |
| Arkansas | | | | | | | |
| SC | Supreme Court | ○ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA | Court of Appeals | ○ | ◐ | ◐ | ◐ | ◐ | ○ |
| California | | | | | | | |
| SC | Supreme Court | ◐ | ○ | ◐ | ◐ | ◐ | ○ |
| IA | Courts of Appeal, 1 st District | ● | ◐ | ● | ◐ | ◐ | ○ |
| IA | Courts of Appeal, 2 nd District | ● | ● | ◐ | ● | ● | ○ |
| IA | Courts of Appeal, 3 rd District | ● | ● | ◐ | ● | ◐ | ● |
| IA | Courts of Appeal, 4 th District | ◐ | ○ | ◐ | ◐ | ◐ | ◐ |
| IA | Courts of Appeal, 5 th District | ● | ◐ | ◐ | ● | ● | ○ |
| IA | Courts of Appeal, 6 th District | ◐ | ● | ● | ● | ● | ○ |
| Colorado | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA | Court of Appeals | ◐ | ◐ | ◐ | ● | ◐ | ○ |
| Connecticut | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ◐ |
| IA | Appellate Court | ◐ | ◐ | ○ | ◐ | ◐ | ◐ |
| Delaware | | | | | | | |
| SC | Supreme Court | ○ | ● | ◐ | ● | ◐ | ○ |
| District of Columbia | | | | | | | |
| SC | Court of Appeals | ◐ | ● | ◐ | ● | ● | ○ |
| Florida | | | | | | | |
| SC | Supreme Court | NR | NR | NR | NR | NR | NR |
| IA | First District Court of Appeal | ◐ | ◐ | ◐ | ● | ◐ | ○ |
| IA | Second District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Third District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Fourth District Court of Appeal | ○ | ● | ○ | ◐ | ○ | ○ |
| IA | Fifth District Court of Appeal | ○ | ○ | ○ | ● | ○ | ○ |
| Georgia | | | | | | | |
| SC | Supreme Court | ◐ | ● | ◐ | ● | ● | ◐ |
| IA | Court of Appeals | ◐ | ● | ◐ | ● | ● | ● |
| Hawaii | | | | | | | |
| SC | Supreme Court | ● | ● | ○ | ● | ○ | ○ |
| IA | Intermediate Court of Appeals | ● | ● | ○ | ● | ○ | ○ |
| Idaho | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ◐ | ○ | ○ |
| IA | Court of Appeals | ○ | ○ | ○ | ◐ | ○ | ○ |
| Illinois | | | | | | | |
| SC | Supreme Court | ○ | ◐ | ○ | ◐ | ◐ | ○ |
| IA | First District Court of Appeal | ○ | ○ | ○ | ● | ○ | ○ |
| IA | Second District Court of Appeals | ○ | ◐ | ● | ● | ◐ | ○ |
| IA | Third District Court of Appeals | ● | ◐ | ● | ● | ◐ | ○ |
| IA | Fourth District Court of Appeals | ○ | ◐ | ● | ● | ○ | ○ |
| IA | Fifth District Court of Appeals | ○ | ◐ | ◐ | ○ | ◐ | ○ |
| Indiana | | | | | | | |
| SC | Supreme Court | ● | ● | ◐ | ○ | ◐ | ○ |
| IA | Court of Appeals | ● | ● | ◐ | ○ | ◐ | ○ |
| IA | Tax Court | ○ | ● | ○ | ○ | ○ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | | Judicial qualifications | Law libraries | Legal research | Liaison with legislature | Payroll | Personnel |
|-----------------------------|--|-------------------------|---------------|----------------|--------------------------|---------|-----------|
| Alabama | | | | | | | |
| SC | Supreme Court | ○ | ○ | ● | ○ | ● | ◐ |
| IA | Court of Civil Appeals | ○ | ○ | ◐ | ◐ | ● | ● |
| IA | Court of Criminal Appeals | ○ | ○ | ◐ | ◐ | ● | ◐ |
| Alaska | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals | ○ | ○ | ◐ | ○ | ○ | ◐ |
| Arizona | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ◐ | ● |
| IA | Court of Appeal, Division One | ○ | ◐ | ◐ | ○ | ● | ● |
| IA | Court of Appeal, Division Two | ○ | ● | ◐ | ○ | ● | ● |
| Arkansas | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA | Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ◐ |
| California | | | | | | | |
| SC | Supreme Court | ○ | ○ | ● | ◐ | ◐ | ◐ |
| IA | Courts of Appeal, 1 st District | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| IA | Courts of Appeal, 2 nd District | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| IA | Courts of Appeal, 3 rd District | ◐ | ○ | ○ | ○ | ◐ | ◐ |
| IA | Courts of Appeal, 4 th District | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA | Courts of Appeal, 5 th District | ◐ | ● | ○ | ○ | ◐ | ◐ |
| IA | Courts of Appeal, 6 th District | ○ | ○ | ○ | ○ | ● | ● |
| Colorado | | | | | | | |
| SC | Supreme Court | ○ | ◐ | ○ | ○ | ◐ | ◐ |
| IA | Court of Appeals | ◐ | ○ | ◐ | ○ | ◐ | ◐ |
| Connecticut | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ○ | ◐ |
| IA | Appellate Court | ○ | ○ | ◐ | ○ | ○ | ◐ |
| Delaware | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ○ | ○ |
| District of Columbia | | | | | | | |
| SC | Court of Appeals | ○ | ● | ◐ | ○ | ◐ | ◐ |
| Florida | | | | | | | |
| SC | Supreme Court | NR | NR | NR | NR | NR | NR |
| IA | First District Court of Appeal | ○ | ○ | ◐ | ◐ | ○ | ◐ |
| IA | Second District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Third District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Fourth District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ◐ |
| IA | Fifth District Court of Appeal | ○ | ○ | ○ | ○ | ○ | ○ |
| Georgia | | | | | | | |
| SC | Supreme Court | ● | ● | ● | ◐ | ● | ● |
| IA | Court of Appeals | ○ | ● | ● | ◐ | ● | ● |
| Hawaii | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ○ | ◐ | ○ |
| IA | Intermediate Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ○ |
| Idaho | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ○ | ○ |
| IA | Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Illinois | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ○ | ◐ |
| IA | First District Court of Appeal | ○ | ○ | ○ | ○ | ◐ | ● |
| IA | Second District Court of Appeals | ○ | ◐ | ◐ | ○ | ◐ | ● |
| IA | Third District Court of Appeals | ○ | ● | ◐ | ○ | ○ | ● |
| IA | Fourth District Court of Appeal | ○ | ● | ● | ○ | ○ | ◐ |
| IA | Fifth District Court of Appeal | ○ | ◐ | ● | ○ | ◐ | ◐ |
| Indiana | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ● | ● | ● |
| IA | Court of Appeals | ○ | ○ | ○ | ● | ● | ● |
| IA | Tax Court | ○ | ○ | ○ | ○ | ○ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=-Not applicable

| | Property control | Purchasing | Records management | Research/ Planning | Security | Other |
|---|------------------|------------|--------------------|--------------------|----------|----------------|
| Alabama | | | | | | |
| SC Supreme Court | ● | ● | ● | ◐ | ○ | |
| IA Court of Civil Appeals | ● | ● | ● | ◐ | ○ | |
| IA Court of Criminal Appeals | ● | ● | ● | ◐ | ○ | ● ¹ |
| Alaska | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ◐ | ◐ | |
| IA Court of Appeals | ○ | ○ | ◐ | ◐ | ◐ | |
| Arizona | | | | | | |
| SC Supreme Court | ● | ● | ● | ● | ○ | |
| IA Court of Appeal, Division One | ● | ● | ● | ● | ○ | |
| IA Court of Appeal, Division Two | ● | ● | ● | ◐ | ○ | |
| Arkansas | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ○ | ○ | |
| IA Court of Appeals | ◐ | ◐ | ● | ○ | ○ | |
| California | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ◐ | ○ | |
| IA Courts of Appeal, 1 st District | ● | ● | ● | ● | ◐ | |
| IA Courts of Appeal, 2 nd District | ● | ● | ● | ◐ | ◐ | |
| IA Courts of Appeal, 3 rd District | ◐ | ◐ | ● | ◐ | ◐ | ● ⁴ |
| IA Courts of Appeal, 4 th District | ● | ◐ | ○ | ◐ | ○ | |
| IA Courts of Appeal, 5 th District | ● | ● | ● | ◐ | ○ | |
| IA Courts of Appeal, 6 th District | ● | ● | ● | ○ | ● | |
| Colorado | | | | | | |
| SC Supreme Court | ● | ● | ● | ◐ | ◐ | |
| IA Court of Appeals | ● | ● | ● | ◐ | ◐ | ● ⁵ |
| Connecticut | | | | | | |
| SC Supreme Court | ○ | ◐ | ● | ◐ | ○ | |
| IA Appellate Court | ○ | ◐ | ● | ◐ | ○ | |
| Delaware | | | | | | |
| SC Supreme Court | ◐ | ◐ | ◐ | ◐ | ◐ | |
| District of Columbia | | | | | | |
| SC Court of Appeals | ● | ● | ● | ● | ○ | |
| Florida | | | | | | |
| SC Supreme Court | NR | NR | NR | NR | NR | NR |
| IA First District Court of Appeal | ○ | ○ | ◐ | ◐ | ○ | |
| IA Second District Court of Appeal | ○ | ○ | ◐ | ○ | ○ | |
| IA Third District Court of Appeal | ○ | ○ | ○ | ○ | ○ | |
| IA Fourth District Court of Appeal | ◐ | ○ | ● | ○ | ○ | |
| IA Fifth District Court of Appeal | ○ | ○ | ● | ○ | ○ | |
| Georgia | | | | | | |
| SC Supreme Court | ● | ● | ● | ● | ● | |
| IA Court of Appeals | ◐ | ● | ● | ● | ◐ | |
| Hawaii | | | | | | |
| SC Supreme Court | ● | ● | ● | ○ | ○ | |
| IA Intermediate Court of Appeals | ● | ● | ● | ○ | ○ | |
| Idaho | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ○ | |
| IA Court of Appeals | ○ | ○ | ● | ○ | ◐ | |
| Illinois | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ● | ○ | |
| IA First District Court of Appeal | ◐ | ◐ | ● | ◐ | ◐ | |
| IA Second District Court of Appeals | ◐ | ◐ | ◐ | ◐ | ● | |
| IA Third District Court of Appeals | ● | ● | ● | ● | ● | |
| IA Fourth District Court of Appeal | ◐ | ◐ | ● | ◐ | ◐ | |
| IA Fifth District Court of Appeal | ◐ | ◐ | ◐ | ◐ | ◐ | |
| Indiana | | | | | | |
| SC Supreme Court | ● | ● | ● | ● | ◐ | |
| IA Court of Appeals | ● | ● | ● | ● | ◐ | |
| IA Tax Court | ○ | ○ | ● | ○ | ○ | |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | | Total staff | Appointments/Assignments for: | | | | | |
|----------------------|--------------------------------------|-------------|-------------------------------|------------------|-------------------------|------------------|-----------------------|----------------------|
| | | | Accounting | Accounts payable | Administrative meetings | Sitting justices | Supplemental justices | Administrative staff |
| Iowa | | | | | | | | |
| SC | Supreme Court | 8 | ○ | ○ | ◐ | ○ | ○ | ○ |
| IA | Court of Appeals | 10 | ○ | ○ | ○ | ○ | ○ | ○ |
| Kansas | | | | | | | | |
| SC | Supreme Court | 16 | ◐ | ○ | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals | 11 | ◐ | ○ | ◐ | ○ | ○ | ◐ |
| Kentucky | | | | | | | | |
| SC | Supreme Court | 7 | ◐ | ◐ | ● | ○ | ○ | ● |
| IA | Court of Appeals | 13 | ○ | ◐ | ● | ● | ● | ● |
| Louisiana | | | | | | | | |
| SC | Supreme Court | 42 | ◐ | ◐ | ◐ | ◐ | ◐ | ● |
| IA | First Circuit Court of Appeals | 16 | ● | ● | ○ | ● | ○ | ● |
| IA | Second Circuit Court of Appeals | 14 | ● | ● | ● | ○ | ○ | ● |
| IA | Third Circuit Court of Appeals | 74 | ● | ● | ○ | ○ | ○ | ● |
| IA | Fourth Circuit Court of Appeals | 14 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Fifth Circuit Court of Appeals | 18 | ● | ● | ○ | ○ | ○ | ○ |
| Maine | | | | | | | | |
| SC | Supreme Judicial Court | 3 | ○ | ○ | ○ | ○ | ○ | ○ |
| Maryland | | | | | | | | |
| SC | Court of Appeals | 9 | ◐ | ○ | ○ | ● | ● | ● |
| IA | Court of Special Appeals | 15 | ◐ | ◐ | ○ | ○ | ○ | ○ |
| Massachusetts | | | | | | | | |
| SC | Supreme Judicial Court ¹³ | 3 | ○ | ○ | ◐ | ○ | ○ | ○ |
| ~ | Suffolk Office ¹³ | 4 | ◐ | ◐ | ◐ | ● | ○ | ○ |
| IA | Appeals Court | 16 | ◐ | ◐ | ○ | ◐ | ◐ | ● |
| Michigan | | | | | | | | |
| SC | Supreme Court | 6 | ◐ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | 57 | ◐ | ○ | ◐ | ○ | ◐ | ○ |
| Minnesota | | | | | | | | |
| SC | Supreme Court | 10 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | 14 | ○ | ○ | ○ | ○ | ○ | ○ |
| Mississippi | | | | | | | | |
| SC | Supreme Court | 15 | ○ | ◐ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | 15 | ○ | ○ | ○ | ○ | ○ | ○ |
| Missouri | | | | | | | | |
| SC | Supreme Court | N/S | ● | ● | ● | ● | ● | ● |
| IA | Court of Appeals, Eastern | N/S | ● | ● | ◐ | N/S | N/S | N/S |
| IA | Court of Appeals, Southern | 25 | ● | ● | ○ | ○ | ◐ | ◐ |
| IA | Court of Appeals, Western | 12 | ● | ● | ◐ | ● | ○ | ○ |
| Montana | | | | | | | | |
| SC | Supreme Court | 6 | ◐ | ◐ | ○ | ○ | ○ | ◐ |
| Nebraska | | | | | | | | |
| SC | Supreme Court | 6 | ◐ | ○ | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals | 16 | ◐ | ○ | ◐ | ○ | ○ | ◐ |
| Nevada | | | | | | | | |
| SC | Supreme Court | 22 | ◐ | ○ | ◐ | ● | ● | ○ |
| New Hampshire | | | | | | | | |
| SC | Supreme Court | 14 | ○ | ○ | ◐ | ● | ● | ● |
| New Jersey | | | | | | | | |
| SC | Supreme Court | 28 | ◐ | ◐ | ● | ○ | ○ | ● |
| IA | Superior Court, Appellate Div. | N/S | ○ | ◐ | ● | ○ | ○ | ● |
| New Mexico | | | | | | | | |
| SC | Supreme Court | 8 | ● | ● | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | 10 | ● | ● | ◐ | ○ | ○ | ◐ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Attorney admissions | Attorney registration | Audits | Bar grievance matters | Budget preparation | Commissions and boards |
|------------------------------------|---------------------|-----------------------|--------|-----------------------|--------------------|------------------------|
| Iowa | | | | | | |
| SC Supreme Court | ● | ◐ | ○ | ◐ | ○ | ◐ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Kansas | | | | | | |
| SC Supreme Court | ● | ● | ○ | ◐ | ◐ | ● |
| IA Court of Appeals | ● | ● | ○ | ◐ | ◐ | ● |
| Kentucky | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ◐ |
| Louisiana | | | | | | |
| SC Supreme Court | ◐ | ● | ● | ◐ | ● | ● |
| IA First Circuit Court of Appeals | ○ | ○ | ● | ○ | ● | ○ |
| IA Second Circuit Court of Appeals | ○ | ○ | ● | ○ | ● | ○ |
| IA Third Circuit Court of Appeals | ○ | ○ | ○ | ○ | ● | ○ |
| IA Fourth Circuit Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Fifth Circuit Court of Appeals | ○ | ○ | ● | ○ | ● | ○ |
| Maine | | | | | | |
| SC Supreme Judicial Court | ○ | ○ | ○ | ◐ | ○ | ○ |
| Maryland | | | | | | |
| SC Court of Appeals | ● | ● | ○ | ● | ● | ● |
| IA Court of Special Appeals | ○ | ○ | ◐ | ○ | ○ | ○ |
| Massachusetts | | | | | | |
| SC Supreme Judicial Court | ○ | ○ | ○ | ◐ | ○ | ○ |
| ~ Suffolk Office | ● | ○ | ◐ | ● | ◐ | ○ |
| IA Appeals Court | ○ | ○ | ○ | ○ | ◐ | ◐ |
| Michigan | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ◐ |
| Minnesota | | | | | | |
| SC Supreme Court | ○ | ● | ○ | ○ | ○ | ○ |
| IA Court of Appeals | ○ | ● | ○ | ○ | ○ | ○ |
| Mississippi | | | | | | |
| SC Supreme Court | ● | ● | ○ | ◐ | ◐ | ◐ |
| IA Court of Appeals | ● | ● | ○ | ◐ | ○ | ○ |
| Missouri | | | | | | |
| SC Supreme Court | ● | ● | ○ | ○ | ◐ | ◐ |
| IA Court of Appeals, Eastern | ○ | ○ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, Southern | ○ | ○ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, Western | ○ | ○ | ○ | ○ | ◐ | ● |
| Montana | | | | | | |
| SC Supreme Court | ● | ● | ◐ | ● | ● | ○ |
| Nebraska | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ◐ | ◐ | ● |
| IA Court of Appeals | ◐ | ○ | ○ | ◐ | ○ | ● |
| Nevada | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ○ | ◐ | ◐ |
| New Hampshire | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ◐ | ◐ | ● |
| New Jersey | | | | | | |
| SC Supreme Court | ● | ○ | ○ | ◐ | ○ | ● |
| IA Superior Court, Appellate Div. | ● | ● | ○ | ◐ | ◐ | ● |
| New Mexico | | | | | | |
| SC Supreme Court | ● | ● | ● | ○ | ● | ● |
| IA Court of Appeals | ○ | ○ | ● | ○ | ● | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | | Community outreach | Data processing | Facilities management | Generate court statistics | Information/Computer systems | Judicial education |
|----------------------|---------------------------------|--------------------|-----------------|-----------------------|---------------------------|------------------------------|--------------------|
| Iowa | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ● | ◐ | ○ |
| IA | Court of Appeals | ○ | ○ | ○ | ● | ◐ | ○ |
| Kansas | | | | | | | |
| SC | Supreme Court | ○ | ● | ○ | ◐ | ○ | ○ |
| IA | Court of Appeals | ○ | ● | ○ | ◐ | ○ | ○ |
| Kentucky | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ◐ | ● | ◐ | ◐ |
| IA | Court of Appeals | ○ | ● | ○ | ◐ | ◐ | ○ |
| Louisiana | | | | | | | |
| SC | Supreme Court | ◐ | ● | ◐ | ● | ● | ○ |
| IA | First Circuit Court of Appeals | ◐ | ● | ● | ● | ● | ○ |
| IA | Second Circuit Court of Appeals | ◐ | ● | ● | ● | ● | ○ |
| IA | Third Circuit Court of Appeals | ◐ | ○ | ● | ○ | ● | ○ |
| IA | Fourth Circuit Court of Appeals | ◐ | ○ | ◐ | ● | ○ | ○ |
| IA | Fifth Circuit Court of Appeals | ○ | ● | ● | ○ | ● | ○ |
| Maine | | | | | | | |
| SC | Supreme Judicial Court | ○ | ○ | ○ | ◐ | ○ | ○ |
| Maryland | | | | | | | |
| SC | Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Special Appeals | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| Massachusetts | | | | | | | |
| SC | Supreme Judicial Court | ○ | ○ | ○ | ◐ | ○ | ○ |
| ~ | Suffolk Office | ○ | ○ | ○ | ● | ○ | ○ |
| IA | Appeals Court | ◐ | ● | ○ | ◐ | ◐ | ○ |
| Michigan | | | | | | | |
| SC | Supreme Court | ○ | ◐ | ○ | ◐ | ○ | ○ |
| IA | Court of Appeals | ○ | ● | ◐ | ● | ○ | ○ |
| Minnesota | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Mississippi | | | | | | | |
| SC | Supreme Court | ○ | ◐ | ◐ | ● | ○ | ○ |
| IA | Court of Appeals | ○ | ○ | ○ | ● | ○ | ○ |
| Missouri | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA | Court of Appeals, Eastern | N/S | N/S | N/S | N/S | N/S | N/S |
| IA | Court of Appeals, Southern | ◐ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA | Court of Appeals, Western | ● | ● | ● | ● | ● | ○ |
| Montana | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ◐ | ● | ○ | ○ |
| Nebraska | | | | | | | |
| SC | Supreme Court | ◐ | ● | ◐ | ◐ | ◐ | ○ |
| IA | Court of Appeals | ◐ | ● | ○ | ○ | ◐ | ○ |
| Nevada | | | | | | | |
| SC | Supreme Court | ◐ | ○ | ◐ | ◐ | ○ | ○ |
| New Hampshire | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ◐ | ○ | ○ |
| New Jersey | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ○ | ● | ◐ | ○ |
| IA | Superior Court, Appellate Div. | ○ | ◐ | ◐ | ◐ | ◐ | ○ |
| New Mexico | | | | | | | |
| SC | Supreme Court | ○ | ○ | ● | ● | ○ | ○ |
| IA | Court of Appeals | ◐ | ◐ | ◐ | ● | ◐ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | | Judicial qualifications | Law libraries | Legal research | Liaison with legislature | Payroll | Personnel |
|----------------------|---------------------------------|-------------------------|---------------|----------------|--------------------------|---------|-----------|
| Iowa | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ○ | ○ | ◐ |
| IA | Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Kansas | | | | | | | |
| SC | Supreme Court | ● | ○ | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals | ● | ○ | ◐ | ○ | ○ | ◐ |
| Kentucky | | | | | | | |
| SC | Supreme Court | ○ | ○ | ● | ◐ | ○ | ● |
| IA | Court of Appeals | ○ | ○ | ◐ | ○ | ○ | ● |
| Louisiana | | | | | | | |
| SC | Supreme Court | ● | ○ | ◐ | ◐ | ◐ | ◐ |
| IA | First Circuit Court of Appeals | ○ | ○ | ◐ | ◐ | ● | ○ |
| IA | Second Circuit Court of Appeals | ○ | ● | ◐ | ◐ | ● | ● |
| IA | Third Circuit Court of Appeals | ○ | ● | ○ | ○ | ● | ● |
| IA | Fourth Circuit Court of Appeals | ○ | ○ | ○ | ◐ | ○ | ◐ |
| IA | Fifth Circuit Court of Appeals | ○ | ● | ○ | ○ | ● | ● |
| Maine | | | | | | | |
| SC | Supreme Judicial Court | ○ | ○ | ◐ | ○ | ○ | ○ |
| Maryland | | | | | | | |
| SC | Court of Appeals | ○ | ● | ○ | ○ | ◐ | ○ |
| IA | Court of Special Appeals | ○ | ○ | ◐ | ○ | ○ | ◐ |
| Massachusetts | | | | | | | |
| SC | Supreme Judicial Court | ○ | ○ | ◐ | ○ | ○ | ◐ |
| ~ | Suffolk Office | ○ | ○ | ◐ | ◐ | ◐ | ◐ |
| IA | Appeals Court | ○ | ○ | ◐ | ○ | ◐ | ● |
| Michigan | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals | ○ | ○ | ◐ | ◐ | ◐ | ◐ |
| Minnesota | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Mississippi | | | | | | | |
| SC | Supreme Court | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA | Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Missouri | | | | | | | |
| SC | Supreme Court | ◐ | ● | ◐ | ◐ | ◐ | ● |
| IA | Court of Appeals, Eastern | N/S | N/S | N/S | N/S | N/S | N/S |
| IA | Court of Appeals, Southern | ○ | ● | ◐ | ◐ | ● | ◐ |
| IA | Court of Appeals, Western | ○ | ● | ◐ | ◐ | ● | ● |
| Montana | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ◐ | ◐ | ● |
| Nebraska | | | | | | | |
| SC | Supreme Court | ◐ | ◐ | ○ | ○ | ○ | ◐ |
| IA | Court of Appeals | ◐ | ◐ | ○ | ○ | ○ | ◐ |
| Nevada | | | | | | | |
| SC | Supreme Court | ○ | ◐ | ◐ | ○ | ○ | ○ |
| New Hampshire | | | | | | | |
| SC | Supreme Court | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| New Jersey | | | | | | | |
| SC | Supreme Court | ○ | ● | ● | ○ | ○ | ◐ |
| IA | Superior Court, Appellate Div. | ○ | ● | ◐ | ○ | ○ | ◐ |
| New Mexico | | | | | | | |
| SC | Supreme Court | ○ | ○ | ● | ○ | ● | ● |
| IA | Court of Appeals | ○ | ◐ | ◐ | ◐ | ● | ● |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Property control | Purchasing | Records management | Research/ Planning | Security | Other |
|------------------------------------|------------------|------------|--------------------|--------------------|----------|-----------------|
| Iowa | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ○ | ○ | |
| IA Court of Appeals | ○ | ○ | ● | ○ | ○ | |
| Kansas | | | | | | |
| SC Supreme Court | ○ | ◐ | ◐ | ◐ | ○ | |
| IA Court of Appeals | ○ | ◐ | ◐ | ◐ | ○ | |
| Kentucky | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ● | ◐ | |
| IA Court of Appeals | ○ | ○ | ● | ◐ | ○ | |
| Louisiana | | | | | | |
| SC Supreme Court | ● | ● | ● | ◐ | ● | |
| IA First Circuit Court of Appeals | ● | ● | ● | ◐ | ○ | |
| IA Second Circuit Court of Appeals | ● | ● | ● | ◐ | ● | ● ¹² |
| IA Third Circuit Court of Appeals | ● | ● | ● | ◐ | ○ | |
| IA Fourth Circuit Court of Appeals | ● | ◐ | ● | ◐ | ○ | |
| IA Fifth Circuit Court of Appeals | ● | ● | ● | ◐ | ● | |
| Maine | | | | | | |
| SC Supreme Judicial Court | ○ | ○ | ◐ | ○ | ○ | |
| Maryland | | | | | | |
| SC Court of Appeals | ○ | ◐ | ● | ◐ | ○ | |
| IA Court of Special Appeals | ○ | ◐ | ● | ◐ | ○ | |
| Massachusetts | | | | | | |
| SC Supreme Judicial Court | ○ | ○ | ● | ◐ | ○ | |
| ~ Suffolk Office | ○ | ◐ | ● | | ○ | |
| IA Appeals Court | ◐ | ◐ | ● | ◐ | ◐ | |
| Michigan | | | | | | |
| SC Supreme Court | ○ | ◐ | ● | ○ | ○ | |
| IA Court of Appeals | ◐ | ◐ | ● | ◐ | ● | |
| Minnesota | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ○ | ○ | |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | |
| Mississippi | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ○ | ○ | |
| IA Court of Appeals | ○ | ○ | ● | ○ | ○ | |
| Missouri | | | | | | |
| SC Supreme Court | ● | ◐ | ◐ | ◐ | ◐ | |
| IA Court of Appeals, Eastern | N/S | N/S | N/S | N/S | N/S | N/S |
| IA Court of Appeals, Southern | ● | ◐ | ● | ◐ | ● | |
| IA Court of Appeals, Western | ● | ● | ● | ◐ | ● | |
| Montana | | | | | | |
| SC Supreme Court | ◐ | ● | ● | ◐ | ◐ | |
| Nebraska | | | | | | |
| SC Supreme Court | ○ | ◐ | ● | ◐ | ◐ | |
| IA Court of Appeals | ○ | ◐ | ● | ◐ | ◐ | |
| Nevada | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ◐ | ○ | ● ¹⁷ |
| New Hampshire | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ◐ | ○ | |
| New Jersey | | | | | | |
| SC Supreme Court | ● | ◐ | ● | ● | ○ | |
| IA Superior Court, Appellate Div. | ◐ | ◐ | ◐ | ◐ | ○ | |
| New Mexico | | | | | | |
| SC Supreme Court | ● | ● | ● | ● | ● | |
| IA Court of Appeals | ◐ | ● | ● | ◐ | ◐ | |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Total staff | Accounting | Accounts payable | Administrative meetings | Appointments/Assignments for: | | |
|--|-------------|------------|------------------|-------------------------|-------------------------------|-----------------------|----------------------|
| | | | | | Sitting justices | Supplemental justices | Administrative staff |
| New York | | | | | | | |
| SC Court of Appeals | 36 | ◐ | ● | ● | ○ | ○ | ◐ |
| IA Supreme Ct., Appellate Div. 1 st | 277 | ● | ● | ● | ○ | ○ | ● |
| IA Supreme Ct., Appellate Div. 2 nd | 136 | ◐ | ◐ | ● | ● | ○ | ◐ |
| IA Supreme Ct., Appellate Div. 3 rd | 36 | ● | ● | ○ | ○ | ○ | ◐ |
| IA Supreme Ct., Appellate Div. 4 th | 37 | ● | ● | ◐ | ○ | ○ | ● |
| North Carolina | | | | | | | |
| SC Supreme Court | 12 | ◐ | ◐ | ◐ | ○ | ○ | ◐ |
| IA Court of Appeals | 10 | ● | ● | ◐ | ○ | ○ | ○ |
| North Dakota | | | | | | | |
| SC Supreme Court | 7 | ○ | ◐ | ◐ | ○ | ○ | ○ |
| Ohio | | | | | | | |
| SC Supreme Court | 14 | ○ | ○ | ● | ○ | ○ | ○ |
| IA Court of Appeals, 1 st District | 5 | ● | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 2 nd District | N/S | ◐ | ◐ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 3 rd District | N/S | ○ | ● | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 4 th District | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| IA Court of Appeals, 5 th District | N/S | ◐ | ◐ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 6 th District | 43 | ● | ● | ○ | ○ | ○ | ● |
| IA Court of Appeals, 7 th District | 6 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 8 th District | 3 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 9 th District | N/S | ◐ | ● | ◐ | ○ | ○ | ◐ |
| IA Court of Appeals, 10 th District | 12 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 11 th District | N/S | ● | ● | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 12 th District | N/S | ● | ● | ○ | ○ | ○ | ○ |
| Oklahoma | | | | | | | |
| SC Supreme Court | 9 | ◐ | ○ | ● | ○ | ○ | ○ |
| SC Court of Criminal Appeals | 22 | ● | ○ | ● | ○ | ○ | ○ |
| IA Court of Civil Appeals | 22 | ◐ | ○ | ○ | ○ | ○ | ○ |
| Oregon | | | | | | | |
| SC Supreme Court | 23 | ◐ | ◐ | ◐ | ○ | ◐ | ◐ |
| IA Court of Appeals | 23 | ◐ | ◐ | ◐ | ○ | ◐ | ◐ |
| Pennsylvania | | | | | | | |
| SC Supreme Court | 22 | ○ | ○ | ○ | ● | ● | ○ |
| IA Superior Court | 44 | ◐ | ◐ | ◐ | ○ | ○ | ◐ |
| IA Commonwealth Court | 54 | ◐ | ◐ | ◐ | ○ | ○ | ○ |
| Puerto Rico | | | | | | | |
| SC Supreme Court | N/S | ◐ | ○ | ○ | ○ | ○ | ● |
| IA Court of Appeals | N/S | ○ | ○ | ○ | ○ | ○ | ● |
| Rhode Island | | | | | | | |
| SC Supreme Court | 5 | ◐ | ○ | ◐ | ○ | ○ | ○ |
| South Carolina | | | | | | | |
| SC Supreme Court | 16 | ◐ | ◐ | ◐ | ● | ○ | ○ |
| IA Court of Appeals | 15 | ○ | ○ | ○ | ○ | ○ | ● |
| South Dakota | | | | | | | |
| SC Supreme Court | 3 | ● | ○ | ◐ | ◐ | ● | ● |
| Tennessee | | | | | | | |
| SC Supreme Court | 33 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals | 24 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Criminal Appeals | 24 | ○ | ○ | ○ | ○ | ○ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Attorney admissions | Attorney registration | Audits | Bar grievance matters | Budget preparation | Commissions and boards |
|--|---------------------|-----------------------|--------|-----------------------|--------------------|------------------------|
| New York | | | | | | |
| SC Court of Appeals | ◐ | ○ | ○ | ◐ | ● | ○ |
| IA Supreme Ct., Appellate Div. 1 st | ● | ○ | ○ | ● | ● | ○ |
| IA Supreme Ct., Appellate Div. 2 nd | ● | ● | ○ | ● | ○ | ○ |
| IA Supreme Ct., Appellate Div. 3 rd | ◐ | ○ | ○ | ○ | ● | ○ |
| IA Supreme Ct., Appellate Div. 4 th | ● | ○ | ○ | ◐ | ◐ | ○ |
| North Carolina | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals | ○ | ● | ○ | ○ | ● | ○ |
| North Dakota | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ○ | ◐ |
| Ohio | | | | | | |
| SC Supreme Court | ● | ○ | ○ | ◐ | ◐ | ○ |
| IA Court of Appeals, 1 st District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 2 nd District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 3 rd District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 4 th District | N/S | N/S | N/S | N/S | N/S | N/S |
| IA Court of Appeals, 5 th District | ○ | ○ | ● | ○ | ○ | ○ |
| IA Court of Appeals, 6 th District | ○ | ○ | ● | ○ | ● | ● |
| IA Court of Appeals, 7 th District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 8 th District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 9 th District | ○ | ○ | ◐ | ○ | ◐ | ○ |
| IA Court of Appeals, 10 th District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 11 th District | ○ | ○ | ● | ○ | ○ | ○ |
| IA Court of Appeals, 12 th District | ○ | ○ | ○ | ○ | ● | ○ |
| Oklahoma | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ○ | ○ |
| SC Court of Criminal Appeals | ◐ | ◐ | ○ | ◐ | ○ | ○ |
| IA Court of Civil Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Oregon | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ◐ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ○ |
| Pennsylvania | | | | | | |
| SC Supreme Court | ● | ● | ○ | ● | ○ | ○ |
| IA Superior Court | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Commonwealth Court | ○ | ○ | ◐ | ○ | ◐ | ○ |
| Puerto Rico | | | | | | |
| SC Supreme Court | ◐ | ● | ● | ● | ◐ | ● |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Rhode Island | | | | | | |
| SC Supreme Court | ● | ● | ○ | ◐ | ◐ | ◐ |
| South Carolina | | | | | | |
| SC Supreme Court | ● | ○ | ○ | ◐ | ◐ | ◐ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| South Dakota | | | | | | |
| SC Supreme Court | ● | ● | ○ | ● | ● | ● |
| Tennessee | | | | | | |
| SC Supreme Court | ● | ○ | ○ | ○ | ○ | ◐ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ◐ |
| IA Court of Criminal Appeals | ○ | ○ | ○ | ○ | ○ | ◐ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Community outreach | Data processing | Facilities management | Generate court statistics | Information/Computer systems | Judicial education |
|--|--------------------|-----------------|-----------------------|---------------------------|------------------------------|--------------------|
| New York | | | | | | |
| SC Court of Appeals | ◐ | ● | ● | ● | ● | ○ |
| IA Supreme Ct., Appellate Div. 1 st | ◐ | ● | ◐ | ● | ◐ | ○ |
| IA Supreme Ct., Appellate Div. 2 nd | ○ | ● | ◐ | ● | ○ | ○ |
| IA Supreme Ct., Appellate Div. 3 rd | ○ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA Supreme Ct., Appellate Div. 4 th | ○ | ◐ | ● | ● | ● | ○ |
| North Carolina | | | | | | |
| SC Supreme Court | ◐ | ● | ◐ | ◐ | ● | ○ |
| IA Court of Appeals | ○ | ● | ● | ● | ○ | ○ |
| North Dakota | | | | | | |
| SC Supreme Court | ◐ | ○ | ◐ | ◐ | ◐ | ○ |
| Ohio | | | | | | |
| SC Supreme Court | ○ | ◐ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 1 st District | ○ | ○ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, 2 nd District | ○ | ◐ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, 3 rd District | ○ | ● | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 4 th District | N/S | N/S | N/S | N/S | N/S | N/S |
| IA Court of Appeals, 5 th District | ○ | ◐ | ◐ | ○ | ◐ | ○ |
| IA Court of Appeals, 6 th District | ● | ● | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, 7 th District | ○ | ○ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, 8 th District | ○ | ◐ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 9 th District | ◐ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA Court of Appeals, 10 th District | ○ | ◐ | ○ | ◐ | ◐ | ○ |
| IA Court of Appeals, 11 th District | ○ | ◐ | ◐ | ○ | ◐ | ○ |
| IA Court of Appeals, 12 th District | ● | ● | ○ | ● | ● | ○ |
| Oklahoma | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| SC Court of Criminal Appeals | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| IA Court of Civil Appeals | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| Oregon | | | | | | |
| SC Supreme Court | ◐ | ◐ | ◐ | ◐ | ◐ | ◐ |
| IA Court of Appeals | ◐ | ◐ | ◐ | ◐ | ◐ | ● |
| Pennsylvania | | | | | | |
| SC Supreme Court | ○ | ○ | ● | ● | ○ | ○ |
| IA Superior Court | ○ | ● | ○ | ◐ | ○ | ○ |
| IA Commonwealth Court | ◐ | ◐ | ○ | ● | ◐ | ○ |
| Puerto Rico | | | | | | |
| SC Supreme Court | ◐ | ● | ◐ | ● | ○ | ◐ |
| IA Court of Appeals | ◐ | ● | ○ | ● | ◐ | ○ |
| Rhode Island | | | | | | |
| SC Supreme Court | ◐ | ● | ◐ | ◐ | ◐ | ○ |
| South Carolina | | | | | | |
| SC Supreme Court | ◐ | ○ | ◐ | ◐ | ○ | ◐ |
| IA Court of Appeals | ○ | ● | ◐ | ● | ○ | ○ |
| South Dakota | | | | | | |
| SC Supreme Court | ◐ | ○ | ◐ | ● | ○ | ◐ |
| Tennessee | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ◐ | ○ | ○ |
| IA Court of Appeals | ○ | ○ | ○ | ◐ | ○ | ○ |
| IA Court of Criminal Appeals | ○ | ○ | ○ | ● | ○ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Judicial qualifications | Law libraries | Legal research | Liaison with legislature | Payroll | Personnel |
|--|-------------------------|---------------|----------------|--------------------------|---------|-----------|
| New York | | | | | | |
| SC Court of Appeals | ○ | ◐ | ● | ○ | ◐ | ◐ |
| IA Supreme Ct., Appellate Div. 1 st | ○ | ● | ◐ | ○ | ● | ● |
| IA Supreme Ct., Appellate Div. 2 nd | ○ | ○ | ● | ○ | ○ | ○ |
| IA Supreme Ct., Appellate Div. 3 rd | ○ | ● | ○ | ○ | ◐ | ◐ |
| IA Supreme Ct., Appellate Div. 4 th | ○ | ◐ | ● | ○ | ● | ◐ |
| North Carolina | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| IA Court of Appeals | ○ | ● | ○ | ○ | ○ | ● |
| North Dakota | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ◐ | ○ | ◐ |
| Ohio | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ○ | ○ |
| IA Court of Appeals, 1 st District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 2 nd District | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA Court of Appeals, 3 rd District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 4 th District | N/S | N/S | N/S | N/S | N/S | N/S |
| IA Court of Appeals, 5 th District | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA Court of Appeals, 6 th District | ○ | ○ | ○ | ● | ● | ● |
| IA Court of Appeals, 7 th District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 8 th District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 9 th District | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA Court of Appeals, 10 th District | ○ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 11 th District | ○ | ○ | ○ | ○ | ◐ | ◐ |
| IA Court of Appeals, 12 th District | ○ | ○ | ○ | ○ | ● | ● |
| Oklahoma | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ◐ | ● | ● |
| SC Court of Criminal Appeals | ○ | ○ | ○ | ◐ | ● | ● |
| IA Court of Civil Appeals | ○ | ○ | ○ | ◐ | ● | ● |
| Oregon | | | | | | |
| SC Supreme Court | ○ | ◐ | ○ | ◐ | ◐ | ◐ |
| IA Court of Appeals | ○ | ◐ | ○ | ◐ | ◐ | ◐ |
| Pennsylvania | | | | | | |
| SC Supreme Court | ○ | ● | ● | ○ | ○ | ○ |
| IA Superior Court | ○ | ○ | ◐ | ○ | ○ | ◐ |
| IA Commonwealth Court | ○ | ○ | ○ | ○ | ◐ | ◐ |
| Puerto Rico | | | | | | |
| SC Supreme Court | N/S | ○ | ◐ | ● | ○ | ● |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ◐ |
| Rhode Island | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| South Carolina | | | | | | |
| SC Supreme Court | ○ | ● | ◐ | ○ | ○ | ◐ |
| IA Court of Appeals | ○ | ● | ◐ | ○ | ○ | ○ |
| South Dakota | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ○ | ○ | ● |
| Tennessee | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ○ | ○ | ◐ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ◐ |
| IA Court of Criminal Appeals | ○ | ○ | ○ | ○ | ○ | ◐ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Property control | Purchasing | Records management | Research/ Planning | Security | Other |
|--|------------------|------------|--------------------|--------------------|----------|-------|
| New York | | | | | | |
| SC Court of Appeals | ◐ | ◐ | ● | ◐ | ◐ | |
| IA Supreme Ct., Appellate Div. 1 st | ● | ● | ● | ● | ● | |
| IA Supreme Ct., Appellate Div. 2 nd | ○ | ○ | ● | ◐ | ○ | 18 |
| IA Supreme Ct., Appellate Div. 3 rd | ◐ | ● | ● | ○ | ● | 19 |
| IA Supreme Ct., Appellate Div. 4 th | ◐ | ● | ● | ◐ | ● | ◐ |
| North Carolina | | | | | | |
| SC Supreme Court | ◐ | ◐ | ◐ | ◐ | ◐ | |
| IA Court of Appeals | ● | ● | ● | ○ | ○ | |
| North Dakota | | | | | | |
| SC Supreme Court | ○ | ◐ | ● | ◐ | ◐ | 20 |
| Ohio | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ◐ | ○ | 21 |
| IA Court of Appeals, 1 st District | ◐ | ○ | ◐ | ○ | ◐ | ● |
| IA Court of Appeals, 2 nd District | ◐ | ○ | ◐ | ○ | ○ | |
| IA Court of Appeals, 3 rd District | ○ | ○ | ● | ○ | ○ | |
| IA Court of Appeals, 4 th District | ○ | ○ | ○ | ○ | ○ | |
| IA Court of Appeals, 5 th District | ◐ | ◐ | ◐ | ○ | ○ | |
| IA Court of Appeals, 6 th District | ● | ● | ● | ● | ○ | |
| IA Court of Appeals, 7 th District | ○ | ○ | ◐ | ○ | ○ | |
| IA Court of Appeals, 8 th District | ○ | ○ | ◐ | ○ | ○ | |
| IA Court of Appeals, 9 th District | ◐ | ◐ | ◐ | ◐ | ◐ | |
| IA Court of Appeals, 10 th District | ◐ | ○ | ◐ | ○ | ◐ | |
| IA Court of Appeals, 11 th District | ◐ | ◐ | ● | ◐ | ◐ | |
| IA Court of Appeals, 12 th District | ● | ● | ● | ● | ○ | |
| Oklahoma | | | | | | |
| SC Supreme Court | ● | ● | ● | ● | ● | |
| SC Court of Criminal Appeals | ● | ● | ● | ● | ● | |
| IA Court of Civil Appeals | ○ | ○ | ● | ● | ○ | |
| Oregon | | | | | | |
| SC Supreme Court | ◐ | ◐ | ◐ | ◐ | ◐ | |
| IA Court of Appeals | ◐ | ◐ | ◐ | ◐ | ◐ | |
| Pennsylvania | | | | | | |
| SC Supreme Court | ○ | ○ | ● | ● | ● | |
| IA Superior Court | ○ | ◐ | ● | ○ | ○ | |
| IA Commonwealth Court | ○ | ○ | ● | ◐ | ◐ | |
| Puerto Rico | | | | | | |
| SC Supreme Court | ● | ◐ | ● | ◐ | ◐ | |
| IA Court of Appeals | ○ | ○ | ◐ | ○ | ○ | |
| Rhode Island | | | | | | |
| SC Supreme Court | ○ | ◐ | ◐ | ◐ | ○ | |
| South Carolina | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ◐ | ◐ | |
| IA Court of Appeals | ○ | ◐ | ● | ● | ◐ | |
| South Dakota | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ● | ◐ | |
| Tennessee | | | | | | |
| SC Supreme Court | ○ | ○ | ● | ◐ | ◐ | |
| IA Court of Appeals | ○ | ○ | ● | ◐ | ◐ | |
| IA Court of Criminal Appeals | ○ | ○ | ● | ◐ | ◐ | |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | | Total staff | Appointments/Assignments for: | | | | | |
|--------------------------------|---|-------------|-------------------------------|------------------|-------------------------|------------------|-----------------------|----------------------|
| | | | Accounting | Accounts payable | Administrative meetings | Sitting justices | Supplemental justices | Administrative staff |
| Texas | | | | | | | | |
| SC | Supreme Court | 9 | ○ | ○ | ◐ | ○ | ○ | ○ |
| SC | Court of Criminal Appeals | 13 | ● | ● | ◐ | ○ | ○ | ○ |
| IA | Court of Appeals, 1 st District | 6 | ● | ● | ◐ | ◐ | ○ | ◐ |
| IA | Court of Appeals, 2 nd District | 9 | ● | ● | ○ | ○ | ○ | ◐ |
| IA | Court of Appeals, 3 rd District | 12 | ● | ● | ◐ | ● | ◐ | ○ |
| IA | Court of Appeals, 4 th District | 13 | ● | ● | ◐ | ○ | ○ | ● |
| IA | Court of Appeals, 5 th District | 10 | ○ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals, 6 th District | 4 | ● | ● | ◐ | ○ | ◐ | ● |
| IA | Court of Appeals, 7 th District | 5 | ● | ● | ◐ | ● | ○ | ◐ |
| IA | Court of Appeals, 8 th District | 14 | ● | ● | ◐ | ○ | ◐ | ◐ |
| IA | Court of Appeals, 9 th District | 20 | ● | ● | ● | ● | ● | ● |
| IA | Court of Appeals, 10 th District | 5 | ● | ● | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals, 11 th District | 8 | ● | ● | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals, 12 th District | 3 | ● | ○ | ◐ | ○ | ○ | ◐ |
| IA | Court of Appeals, 13 th District | 5 | ○ | ○ | ○ | ○ | ● | ○ |
| IA | Court of Appeals, 14 th District | 9 | ● | ● | ◐ | ◐ | ○ | ◐ |
| Utah | | | | | | | | |
| SC | Supreme Court | 27 | ◐ | ◐ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | 35 | ◐ | ◐ | ○ | ○ | ○ | ○ |
| Vermont | | | | | | | | |
| SC | Supreme Court | 2.5 | ◐ | ○ | ○ | ○ | ○ | ○ |
| Virginia | | | | | | | | |
| SC | Supreme Court | 12 | ◐ | ◐ | ◐ | ● | ○ | ◐ |
| IA | Court of Appeals | 14.5 | ◐ | ◐ | ◐ | ◐ | ◐ | ● |
| Washington²⁵ | | | | | | | | |
| SC | Supreme Court | 12 | ◐ | ◐ | ◐ | ○ | ● | ◐ |
| IA | Courts of Appeals, Division One | 12 | ◐ | ◐ | ◐ | ○ | ○ | ◐ |
| West Virginia | | | | | | | | |
| SC | Supreme Court of Appeals | 13 | ◐ | ◐ | ◐ | ◐ | ○ | ◐ |
| Wisconsin | | | | | | | | |
| SC | Supreme Court | 15 | ◐ | ○ | ○ | ○ | ○ | ○ |
| IA | Court of Appeals | 29 | ◐ | ○ | ○ | ○ | ○ | ○ |
| Wyoming | | | | | | | | |
| SC | Supreme Court | 2 | ◐ | ○ | ◐ | ◐ | ○ | ○ |

FOOTNOTES:

Alabama:

¹ The clerk's office of the Court of Criminal Appeals has total responsibility for case management, which involves administrative functions associated with appellate cases (e.g. docketing, notices, etc.).

Alaska:

² One clerk's office serves both appellate courts.

Arkansas:

³ One clerk's office serves both appellate courts.

California:

⁴ The clerk's office of the Courts of Appeal, 3rd District has shared responsibility for travel and training.

Colorado:

⁵ The clerk's office of the Court of Appeals has total responsibility for case processing.

Connecticut:

⁶ One clerk's office serves both appellate courts.

Hawaii:

⁷ One clerk's office serves both appellate courts.

Idaho:

⁸ One clerk's office serves both appellate courts.

Indiana:

⁹ One clerk's office serves all three appellate courts.

Iowa:

¹⁰ One clerk's office serves both appellate courts.

Kansas:

¹¹ One clerk's office serves both appellate courts.

Louisiana:

¹² The clerk's office of the Second Circuit Court of Appeals has total responsibility for disaster planning and safety.

Massachusetts:

¹³ The clerk's office of the Supreme Judicial Court has two locations. The responsibilities of the main, or Commonwealth, office are represented here as the responsibilities for the Supreme Judicial Court. The second location is the Suffolk office.

Minnesota:

¹⁴ One clerk's office serves both appellate courts.

Mississippi:

¹⁵ One clerk's office serves both appellate courts.

Nebraska:

¹⁶ One clerk's office serves both appellate courts.

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Attorney admissions | Attorney registration | Audits | Bar grievance matters | Budget preparation | Commissions and boards |
|--|---------------------|-----------------------|--------|-----------------------|--------------------|------------------------|
| Texas | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ◐ |
| SC Court of Criminal Appeals | ○ | ○ | ○ | ○ | ◐ | ● |
| IA Court of Appeals, 1 st District | ○ | ○ | ● | ○ | ● | ○ |
| IA Court of Appeals, 2 nd District | ○ | ○ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, 3 rd District | ○ | ○ | ● | ○ | ● | ○ |
| IA Court of Appeals, 4 th District | ○ | ○ | ○ | ○ | ● | ○ |
| IA Court of Appeals, 5 th District | ○ | ○ | ○ | ○ | ◐ | ○ |
| IA Court of Appeals, 6 th District | ○ | ○ | ● | ○ | ◐ | ○ |
| IA Court of Appeals, 7 th District | ○ | ○ | ● | ○ | ● | ○ |
| IA Court of Appeals, 8 th District | ○ | ○ | ○ | ○ | ● | ○ |
| IA Court of Appeals, 9 th District | ○ | ○ | ● | ○ | ● | ○ |
| IA Court of Appeals, 10 th District | ○ | ○ | ● | ○ | ● | ○ |
| IA Court of Appeals, 11 th District | ○ | ○ | ○ | ○ | ● | ○ |
| IA Court of Appeals, 12 th District | ○ | ○ | ◐ | ○ | ● | ○ |
| IA Court of Appeals, 13 th District | ○ | ○ | ◐ | ○ | ● | ○ |
| IA Court of Appeals, 14 th District | ○ | ○ | ● | ○ | ◐ | ○ |
| Utah | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ○ | ○ | ○ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ○ | ○ |
| Vermont | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ○ | ○ | ○ |
| Virginia | | | | | | |
| SC Supreme Court | ● | ● | ◐ | ● | ◐ | ○ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ◐ |
| Washington | | | | | | |
| SC Supreme Court | ● | ● | ○ | ● | ◐ | ○ |
| IA Courts of Appeals, Division One | ○ | ○ | ◐ | ○ | ◐ | ○ |
| West Virginia | | | | | | |
| SC Supreme Court of Appeals | ◐ | ◐ | ○ | ○ | ◐ | ◐ |
| Wisconsin | | | | | | |
| SC Supreme Court | ◐ | ◐ | ○ | ◐ | ◐ | ○ |
| IA Court of Appeals | ○ | ○ | ○ | ○ | ◐ | ○ |
| Wyoming | | | | | | |
| SC Supreme Court | ● | ● | ○ | ● | ○ | ◐ |

Nevada:
¹⁷ The clerk's office of the Supreme Court has shared responsibility for rule drafting.

New York:
¹⁸ The clerk's office of the Supreme Court, 2nd Appellate Division has total responsibility for the general clerk's office.
¹⁹ The clerk's office of the Supreme Court, 4th Appellate Division has shared responsibility for legal research.

North Dakota:
²⁰ The clerk's office of the Supreme Court has total responsibility for case processing.

Ohio:
²¹ The clerk's office of the Supreme Court has total responsibility for case management.

Oklahoma:
²² One clerk's office serves all three appellate courts.

Oregon:
²³ The state court administrator (SCA) is the appellate courts' court administrator (formerly "clerk") by statute. The SCA has delegated many appellate court clerk

functions to the Appellate Court Services Division (32 staff) and the Appellate Court Record Section, in particular.

Tennessee:
²⁴ One clerk's office serves all three appellate courts.

Washington:
²⁵ The Court of Appeals, Division Two and Court of Appeals, Division Three are not included as those courts did not respond.
²⁶ The clerk's office of the Supreme Court has total responsibility for case flow management.
²⁷ The clerk's office of the Court of Appeals, Division One has total responsibility for calendar preparation/ management.

West Virginia:
²⁸ The clerk's office of the Supreme Court of Appeals has shared responsibility for drafting and promulgating court rules.

Wisconsin:
²⁹ One clerk's office serves both appellate courts.

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility, ~=Not applicable

| | Community outreach | Data processing | Facilities management | Generate court statistics | Information/Computer systems | Judicial education |
|--|--------------------|-----------------|-----------------------|---------------------------|------------------------------|--------------------|
| Texas | | | | | | |
| SC Supreme Court | ◐ | ● | ◐ | ● | ◐ | ○ |
| SC Court of Criminal Appeals | ○ | ● | ○ | ● | ◐ | ● |
| IA Court of Appeals, 1 st District | ◐ | ◐ | ◐ | ● | ◐ | ○ |
| IA Court of Appeals, 2 nd District | ○ | ◐ | ◐ | ◐ | ○ | ○ |
| IA Court of Appeals, 3 rd District | ○ | ● | ● | ● | ● | ◐ |
| IA Court of Appeals, 4 th District | ○ | ● | ○ | ● | ◐ | ○ |
| IA Court of Appeals, 5 th District | ○ | ● | ○ | ● | ◐ | ○ |
| IA Court of Appeals, 6 th District | ○ | ● | ○ | ● | ○ | ○ |
| IA Court of Appeals, 7 th District | ○ | ◐ | ○ | ● | ◐ | ◐ |
| IA Court of Appeals, 8 th District | ○ | ◐ | ○ | ● | ◐ | ○ |
| IA Court of Appeals, 9 th District | ● | ● | ● | ● | ● | ◐ |
| IA Court of Appeals, 10 th District | ○ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA Court of Appeals, 11 th District | ○ | ◐ | ● | ◐ | ◐ | ◐ |
| IA Court of Appeals, 12 th District | ◐ | ● | ○ | ● | ● | ○ |
| IA Court of Appeals, 13 th District | ○ | ◐ | ○ | ● | ○ | ○ |
| IA Court of Appeals, 14 th District | ◐ | ◐ | ◐ | ● | ◐ | ● |
| Utah | | | | | | |
| SC Supreme Court | ◐ | ◐ | ◐ | ● | ◐ | ○ |
| IA Court of Appeals | ◐ | ◐ | ◐ | ● | ◐ | ○ |
| Vermont | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ○ | ○ | ○ |
| Virginia | | | | | | |
| SC Supreme Court | ○ | ◐ | ◐ | ◐ | ○ | ○ |
| IA Court of Appeals | ○ | ◐ | ◐ | ◐ | ◐ | ● |
| Washington | | | | | | |
| SC Supreme Court | ○ | ◐ | ◐ | ◐ | ◐ | ○ |
| IA Courts of Appeals, Division One | ● | ◐ | ● | ◐ | ○ | ○ |
| West Virginia | | | | | | |
| SC Supreme Court of Appeals | ◐ | ● | ◐ | ● | ◐ | ◐ |
| Wisconsin | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ● | ○ | ○ |
| IA Court of Appeals | ○ | ○ | ○ | ◐ | ○ | ○ |
| Wyoming | | | | | | |
| SC Supreme Court | ◐ | ○ | ○ | ◐ | ○ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility; ~=Not applicable

| | Judicial qualifications | Law libraries | Legal research | Liaison with legislature | Payroll | Personnel |
|--|-------------------------|---------------|----------------|--------------------------|---------|-----------|
| Texas | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ◐ | ○ | ◐ |
| SC Court of Criminal Appeals | ○ | ● | ○ | ◐ | ● | ● |
| IA Court of Appeals, 1 st District | ○ | ● | ◐ | ◐ | ● | ● |
| IA Court of Appeals, 2 nd District | ○ | ● | ○ | ○ | ● | ○ |
| IA Court of Appeals, 3 rd District | ○ | ● | ○ | ◐ | ● | ● |
| IA Court of Appeals, 4 th District | ○ | ● | ○ | ○ | ○ | ○ |
| IA Court of Appeals, 5 th District | ○ | ○ | ○ | ○ | ○ | ● |
| IA Court of Appeals, 6 th District | ○ | ● | ○ | ○ | ● | ● |
| IA Court of Appeals, 7 th District | ○ | ● | ◐ | ◐ | ● | ● |
| IA Court of Appeals, 8 th District | ○ | ● | ◐ | ○ | ● | ● |
| IA Court of Appeals, 9 th District | ○ | ● | ◐ | ◐ | ● | ● |
| IA Court of Appeals, 10 th District | ○ | ● | ○ | ◐ | ● | ● |
| IA Court of Appeals, 11 th District | ○ | ● | ● | ◐ | ● | ● |
| IA Court of Appeals, 12 th District | ○ | ● | ○ | ◐ | ○ | ● |
| IA Court of Appeals, 13 th District | ○ | ○ | ○ | ◐ | ○ | ◐ |
| IA Court of Appeals, 14 th District | ○ | ● | ◐ | ◐ | ● | ● |
| Utah | | | | | | |
| SC Supreme Court | ○ | ◐ | ○ | ○ | ◐ | ◐ |
| IA Court of Appeals | ○ | ◐ | ○ | ○ | ◐ | ◐ |
| Vermont | | | | | | |
| SC Supreme Court | ○ | ○ | ○ | ○ | ○ | ○ |
| Virginia | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ○ | ● |
| IA Court of Appeals | ○ | ◐ | ◐ | ○ | ◐ | ◐ |
| Washington | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| IA Courts of Appeals, Division One | ○ | ◐ | ○ | ◐ | ◐ | ◐ |
| West Virginia | | | | | | |
| SC Supreme Court of Appeals | ○ | ○ | ◐ | ◐ | ○ | ◐ |
| Wisconsin | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ○ | ○ |
| IA Court of Appeals | ○ | ○ | ◐ | ○ | ○ | ○ |
| Wyoming | | | | | | |
| SC Supreme Court | ○ | ○ | ◐ | ○ | ○ | ○ |

Table 18. Appellate Court Clerks' Office: Staffing and Responsibilities by Function

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility, ~=Not applicable

| | Property control | Purchasing | Records management | Research/ Planning | Security | Other |
|--|------------------|------------|--------------------|--------------------|----------|-------|
| Texas | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ◐ | ◐ | |
| SC Court of Criminal Appeals | ● | ● | ● | ● | ◐ | |
| IA Court of Appeals, 1 st District | ● | ● | ● | ◐ | ◐ | |
| IA Court of Appeals, 2 nd District | ◐ | ● | ● | ○ | ○ | |
| IA Court of Appeals, 3 rd District | ● | ● | ● | ◐ | ● | |
| IA Court of Appeals, 4 th District | ◐ | ● | ● | ◐ | ◐ | |
| IA Court of Appeals, 5 th District | ○ | ○ | ● | ○ | ○ | |
| IA Court of Appeals, 6 th District | ● | ● | ● | ● | ● | |
| IA Court of Appeals, 7 th District | ● | ● | ● | ● | ◐ | |
| IA Court of Appeals, 8 th District | ● | ● | ● | ◐ | ◐ | |
| IA Court of Appeals, 9 th District | ● | ● | ● | ● | ● | |
| IA Court of Appeals, 10 th District | ◐ | ● | ● | ○ | ○ | |
| IA Court of Appeals, 11 th District | ● | ● | ● | ● | ● | |
| IA Court of Appeals, 12 th District | ● | ● | ● | ◐ | ◐ | |
| IA Court of Appeals, 13 th District | ◐ | ● | ● | ◐ | ○ | |
| IA Court of Appeals, 14 th District | ● | ● | ● | ◐ | ◐ | |
| Utah | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ○ | ◐ | |
| IA Court of Appeals | ◐ | ◐ | ● | ○ | ◐ | |
| Vermont | | | | | | |
| SC Supreme Court | ○ | ◐ | ○ | ○ | ○ | |
| Virginia | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ◐ | ◐ | |
| IA Court of Appeals | ◐ | ◐ | ● | ◐ | ○ | |
| Washington | | | | | | |
| SC Supreme Court | ◐ | ○ | ● | ◐ | ● | 26 |
| IA Courts of Appeals, Division One | ◐ | ◐ | ◐ | ● | ● | 27 |
| West Virginia | | | | | | |
| SC Supreme Court of Appeals | ◐ | ◐ | ◐ | ◐ | ○ | 28 |
| Wisconsin | | | | | | |
| SC Supreme Court | ◐ | ◐ | ● | ● | ◐ | |
| IA Court of Appeals | ○ | ◐ | ● | ◐ | ◐ | |
| Wyoming | | | | | | |
| SC Supreme Court | ○ | ○ | ● | ○ | ◐ | |

Table 19. Clerks of Appellate Courts: Number and Method of Selection

Legend: SC=Court of last resort; IA=Intermediate appellate court; AP=At pleasure; CJ=Chief Justice; PJ=Presiding Judge; N/S=Not stated

| | Number of clerks | Method of appointment | Term of office (years or AP) | Minimum qualifications |
|----------------------------------|------------------|--|------------------------------|--|
| Alabama | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Civil Appeals | 1 | IA | AP | N/S |
| IA Court of Criminal Appeals | 1 | IA | AP | N/S |
| Alaska | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, admittance to the bar |
| IA Court of Appeals | (same as SC) | | | |
| Arizona | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree |
| IA Court of Appeals | 2 | IA | AP | N/S |
| Arkansas | | | | |
| SC Supreme Court | 1 | SC | 6 | N/S |
| IA Court of Appeals | (same as SC) | | | |
| California | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Courts of Appeal | 6 | IA | AP | Bachelor's degree, 6 yrs management experience |
| Colorado | | | | |
| SC Supreme Court | 1 | SC | AP | Bachelor's degree, administrative and supervisory experience |
| IA Court of Appeals | 1 | IA | AP | Degree in business, public or judicial administration; 6 yrs court administration experience; 2 yrs at supervisory level |
| Connecticut | | | | |
| SC Supreme Court | 8 ¹ | SC ² | AP | Admittance to the bar |
| IA Appellate Court | (same as SC) | | | |
| Delaware | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| District of Columbia | | | | |
| SC Court of Appeals | 1 | Executive officer subject to CJ's approval | AP | Law degree, 10 yrs legal and managerial experience |
| Florida | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA District Courts of Appeal | 5 | IA | AP | N/S |
| Georgia | | | | |
| SC Supreme Court | 1 | SC | 6 | N/S ³ |
| IA Court of Appeals | 1 ⁴ | IA | AP | Admittance to bar |
| Hawaii | | | | |
| SC Supreme Court | 1 | SC | Civil service | High school diploma |
| IA Intermediate Court of Appeals | (same as SC) | | | |
| Idaho | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Appeals | (same as SC) | | | |
| Illinois | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Appellate Court | 5 | IA | AP | N/S |
| Indiana | | | | |
| SC Supreme Court | 1 | CJ | AP | N/S |
| IA Court of Appeals | (same as SC) | | | |
| IA Tax Court | (same as SC) | | | |
| Iowa | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Appeals | (same as SC) | | | |
| Kansas | | | | |
| SC Supreme Court | 1 | SC | 2 | Admittance to bar |
| IA Court of Appeals | (same as SC) | | | |
| Kentucky | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Appeals | 1 | IA | AP | N/S |

Table 19. Clerks of Appellate Courts: Number and Method of Selection

Legend: SC=Court of last resort; IA=Intermediate appellate court; AP=At pleasure; CJ=Chief Justice; PJ=Presiding Judge; N/S=Not stated

| | Number of clerks | Method of appointment | Term of office (years or AP) | Minimum qualifications |
|-----------------------------------|------------------|-----------------------|------------------------------|--|
| Louisiana | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Courts of Appeal | 5 | IA | AP | N/S |
| Maine | | | | |
| SC Supreme Judicial Court | 1 | Tenure after 6 months | — ⁵ | Admittance to bar |
| Maryland | | | | |
| SC Court of Appeals | 1 | SC | AP | Admittance to bar |
| IA Court of Special Appeals | 1 | IA | AP | Admittance to bar |
| Massachusetts | | | | |
| SC Supreme Judicial Court | 2 ⁶ | SC | 5 | N/S |
| IA Appeals Court | 1 | IA | 5 | N/S |
| Michigan | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, admittance to bar |
| IA Court of Appeals | 1 | IA | AP | N/S |
| Minnesota | | | | |
| SC Supreme Court | 1 | SC, IA | AP | N/S |
| IA Court of Appeals | (same as SC) | | | |
| Mississippi | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Appeals | (same as SC) | | | |
| Missouri | | | | |
| SC Supreme Court | 1 | SC | AP | N/S ⁷ |
| IA Court of Appeals | 3 | IA | AP | N/S ⁷ |
| Montana | | | | |
| SC Supreme Court | 1 | Elected | 6 | N/S |
| Nebraska | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Appeals | (same as SC) | | | |
| Nevada | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, admittance to bar, 21 yrs of age, state citizen 1 yr |
| New Hampshire | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, admittance to bar |
| New Jersey | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, admittance to bar |
| IA Superior Court, Appellate Div. | 1 | SC | AP | N/S |
| New Mexico | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, admittance to bar |
| IA Court of Appeals | 1 | IA | AP | Law degree, admittance to bar |
| New York | | | | |
| SC Court of Appeals | 1 | SC | AP | Admission to NY bar, 10 yrs relevant legal experience |
| IA Supreme Ct., Appellate Div. | 4 | IA | AP | Admission to NY bar, 10 yrs relevant legal experience |
| North Carolina | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, legal experience |
| IA Court of Appeals | 1 | IA | AP | Law degree |
| North Dakota | | | | |
| SC Supreme Court | 1 | SC | AP | Law degree, 5 yrs experience in court or legal setting |
| Ohio | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Courts of Appeals | 12 ⁸ | Elected | 4 | N/S |
| Oklahoma | | | | |
| SC Supreme Court | 1 | SC | AP | Admittance to bar |
| SC Court of Criminal Appeals | (same as SC) | | | |
| IA Court of Civil Appeals | (same as SC) | | | |
| Oregon | | | | |
| SC Supreme Court | 1 ⁹ | CJ | AP | N/S |
| IA Court of Appeals | (same as SC) | | | |

Table 19. Clerks of Appellate Courts: Number and Method of Selection

Legend: SC=Court of last resort; IA=Intermediate appellate court; AP=At pleasure; CJ=Chief Justice; PJ=Presiding Judge; N/S=Not stated

| | Number of clerks | Method of appointment | Term of office (years or AP) | Minimum qualifications |
|-----------------------------------|------------------|---|------------------------------|--|
| Pennsylvania | | | | |
| SC Supreme Court | 1 | SC | AP | Lawyer |
| IA Superior Court | 1 | PJ | AP | Lawyer |
| IA Commonwealth Court | 1 | PJ | AP | Lawyer |
| Puerto Rico | | | | |
| SC Supreme Court | 1 | SC | AP | Admittance to bar |
| IA Court of Appeals ¹⁰ | 1 | PJ | AP | Admittance to bar |
| Rhode Island | | | | |
| SC Supreme Court | 1 | CJ with approval of state Senate | 5 | N/S |
| South Carolina | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Appeals | 1 | IA | AP | N/S |
| South Dakota | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| Tennessee | | | | |
| SC Supreme Court | 1 ¹¹ | SC | 6 | N/S |
| IA Court of Appeals | 1 ¹¹ | | | |
| IA Court of Criminal Appeals | 1 ¹¹ | | | |
| Texas | | | | |
| SC Supreme Court | 1 | SC | 4 | N/S |
| SC Court of Criminal Appeals | 1 | SC | 4 | N/S |
| IA Courts of Appeals | 14 | IA | 4 | N/S |
| Utah | | | | |
| SC Supreme Court | 1 | Appellate court administrator with approval of justices ¹² | AP | 8 yrs progressively responsible experience in court operations, or bachelor's degree plus 4 yrs experience in court operations |
| IA Court of Appeals | 1 | Appellate court administrator with approval of judges ¹² | AP | 8 yrs progressively responsible experience in court operations, or bachelor's degree plus 4 yrs experience in court operations |
| Vermont | | | | |
| SC Supreme Court | 1 ¹³ | SC | AP | N/S |
| Virginia | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |
| IA Court of Appeals | 1 | IA | AP | N/S |
| Washington | | | | |
| SC Supreme Court | 1 | SC | AP | Admittance to bar |
| IA Courts of Appeals | 3 | IA | AP | Bachelor's degree and 6 yrs experience, or JD and 3 yrs experience |
| West Virginia | | | | |
| SC Supreme Court of Appeals | 1 | SC | AP | N/S |
| Wisconsin | | | | |
| SC Supreme Court | 1 | SC | AP | N/S ¹⁴ |
| IA Court of Appeals | (same as SC) | | | |
| Wyoming | | | | |
| SC Supreme Court | 1 | SC | AP | N/S |

FOOTNOTES:**Connecticut:**

¹ There is one chief clerk, one deputy clerk, and six assistant clerks.

² The chief clerk is hired by the Supreme Court; the deputy and assistant clerks are hired by the chief clerk.

Georgia:

³ The court's practice is to appoint an attorney.

⁴ One individual serves in dual capacity as clerk and court administrator.

Maine:

⁵ The term of office is subject to a collective bargaining contract.

Table 19. Clerks of Appellate Courts: Number and Method of Selection**Massachusetts:**

⁶ The clerk of the Supreme Judicial Court (SJC) for the Commonwealth is appointed by the justices for a five-year term; the jurisdiction of the court's purely appellate function comes under the Commonwealth Office. The clerk of the SJC for Suffolk County is elected to a six-year term by the voters of Suffolk County; this office processes bar applications, bar disciplines and complaints which by statute fall within the court's original jurisdiction (for the most part, concurrently with the trial court).

Missouri:

⁷ The court's practice has been to appoint an attorney.

Ohio:

⁸ The clerk of the Court of Common Pleas is also clerk of the Court of Appeals.

Oregon:

⁹ The state court administrator is the clerk of the appellate courts.

Puerto Rico:

¹⁰ The first intermediate appellate court of Puerto Rico was established in November 1992, but abolished in August, 1993. A Circuit Court of Appeals was

later established by law in the Judicial Branch's Reorganization Plan of July 28, 1994. The Circuit Court of Appeals consists of 33 judges and is divided into seven circuits.

Tennessee:

¹¹ The court of last resort appoints one chief clerk to serve all three appellate courts. The court of last resort also appoints three chief deputy clerks, one serving the court of last resort and the intermediate appellate court in each region.

Utah:

¹² The appellate court administrator must have a law degree and is selected by the state court administrator with the concurrence of the Chief Justice of the court of last resort and the presiding judge of the intermediate appellate court.

Vermont:

¹³ The clerk is the same as state court administrator.

Wisconsin:

¹⁴ Court position descriptions are currently under review.

Table 20. Provision of Law Clerks to Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; ~ =Not applicable

| | | Number of: | | |
|-----------------------------|-------------------------------|---|--|--------------------------|
| | | <u>Clerks for chief justices/judges</u> | <u>Clerks for each associate justice/judge</u> | <u>Central law staff</u> |
| Alabama | | | | |
| SC | Supreme Court | 3 ¹ | 3 ¹ | 4 |
| IA | Court of Civil Appeals | 4 | 4 | 1 |
| IA | Court of Criminal Appeals | 3 | 3 | 0 |
| Alaska | | | | |
| SC | Supreme Court | 3 | 3 | 1 |
| IA | Court of Appeals | 2 | 2 | 2 |
| Arizona | | | | |
| SC | Supreme Court | 2 | 2 | 8 |
| IA | Court of Appeals | 2 | 3.5 | 27 |
| Arkansas | | | | |
| SC | Supreme Court | 2 | 2 | 1 |
| IA | Court of Appeals | 2 | 2 | 5 |
| California | | | | |
| SC | Supreme Court | 8 | 5 | 43 |
| IA | Courts of Appeal | 2 | 2 ² | Varies |
| Colorado | | | | |
| SC | Supreme Court | 2 | 2 | 1 |
| IA | Court of Appeals | 1 | 1 | 16 |
| Connecticut | | | | |
| SC | Supreme Court | 2 | 2 | 3 |
| IA | Appellate Court | 2 | 2 | 1 |
| Delaware | | | | |
| SC | Supreme Court | 2 | 1 | 3 |
| District of Columbia | | | | |
| SC | Court of Appeals | 3 | 2 | 6 |
| Florida | | | | |
| SC | Supreme Court | 3 | 2 | 6 |
| IA | District Courts of Appeal | 2 | 2 | 19 ³ |
| Georgia | | | | |
| SC | Supreme Court | 3 | 2 | 6 |
| IA | Court of Appeals | 3 | 3 | 5 |
| Hawaii | | | | |
| SC | Supreme Court | 3 | 2 | 5 |
| IA | Intermediate Court of Appeals | 2 | 2 | 0 |
| Idaho | | | | |
| SC | Supreme Court | 2 | 2 | 1 |
| IA | Court of Appeals | 2 | 2 | 1 |
| Illinois | | | | |
| SC | Supreme Court | 3 | 3 | 19 ⁴ |
| IA | Appellate Court | 2 | 2 | 88 |
| Indiana | | | | |
| SC | Supreme Court | 3 | 2 | 5 |
| IA | Court of Appeals | 3 ⁵ | 3 ⁵ | 7 |
| IA | Tax Court | 3 | ~ | 0 |
| Iowa | | | | |
| SC | Supreme Court | 1 | 1 | 6.5 |
| IA | Court of Appeals | 1 | 1 | 6 |
| Kansas | | | | |
| SC | Supreme Court | 1 | 1 | 4 |
| IA | Court of Appeals | 1 | 1 | 14 |
| Kentucky | | | | |
| SC | Supreme Court | 2 | 2 | 7 ⁶ |
| IA | Court of Appeals | 2 | 2 | 8 |
| Louisiana | | | | |
| SC | Supreme Court | 3 ⁷ | 3 | 19 |
| IA | Courts of Appeal | 3 | 2 | 55 |

Table 20. Provision of Law Clerks to Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; ~ =Not applicable

| | | Number of: | | |
|-----------------------|--------------------------------|---|--|--------------------------|
| | | <u>Clerks for chief justices/judges</u> | <u>Clerks for each associate justice/judge</u> | <u>Central law staff</u> |
| Maine | | | | |
| SC | Supreme Judicial Court | 3 | 2 | 1 |
| Maryland | | | | |
| SC | Court of Appeals | 2 | 2 | 0 |
| IA | Court of Special Appeals | 2 | 2 | 8 |
| Massachusetts | | | | |
| SC | Supreme Judicial Court | 2 | 2 | 20 |
| IA | Appeals Court | 2 | 1 | 18 |
| Michigan | | | | |
| SC | Supreme Court | 3 | 3 | 17 |
| IA | Court of Appeals | 1 | 1 | 80 ^B |
| Minnesota | | | | |
| SC | Supreme Court | 2 | 1.5 | 4 |
| IA | Court of Appeals | 2 | 2 | 15 |
| Mississippi | | | | |
| SC | Supreme Court | 2 | 2 | 8 |
| IA | Court of Appeals | 2 | 2 | 5 |
| Missouri | | | | |
| SC | Supreme Court | 2 | 2 | 5 |
| IA | Court of Appeals | 2 | 2 | 2 |
| Montana | | | | |
| SC | Supreme Court | 3 | 2 ⁹ | 17 |
| Nebraska | | | | |
| SC | Supreme Court | 2 | 2 | 2 |
| IA | Court of Appeals | 2 | 2 | 1 |
| Nevada | | | | |
| SC | Supreme Court | 2 | 2 | 19 |
| New Hampshire | | | | |
| SC | Supreme Court | 2.5 | 2 | 2.5 |
| New Jersey | | | | |
| SC | Supreme Court | 4-5 ¹⁰ | 3 | 5 |
| IA | Superior Court, Appellate Div. | 2 | 1-2 | 27 |
| New Mexico | | | | |
| SC | Supreme Court | 2 | 2 | 0 |
| IA | Court of Appeals | 1 | 1 | 14 |
| New York | | | | |
| SC | Court of Appeals | 4 | 3 | 15.5 ¹¹ |
| IA | Supreme Ct., Appellate Div. | 1 | 1 | 110 |
| North Carolina | | | | |
| SC | Supreme Court | 3 | 2 | 1 |
| IA | Court of Appeals | 3 | 2 | 7 |
| North Dakota | | | | |
| SC | Supreme Court | 1 | 1 | 5 |
| Ohio | | | | |
| SC | Supreme Court | 3 | 3 | 10 |
| IA | Courts of Appeals | 2 | 2 | Varies |
| Oklahoma | | | | |
| SC | Supreme Court | 2 | 2 | 5 |
| SC | Court of Criminal Appeals | 2 | 2 | 5 |
| IA | Court of Civil Appeals | 2 | 2 | 1 |
| Oregon | | | | |
| SC | Supreme Court | 1-2 | 1-2 | 4 |
| IA | Court of Appeals | 2 staff attorneys | Varies ¹² | 5 |
| Pennsylvania | | | | |
| SC | Supreme Court | 6 | 6 | ~ ¹³ |
| IA | Superior Court | 4 | 4 | 22 |
| IA | Commonwealth Court | 6 | 4 | 2-3 |

Table 20. Provision of Law Clerks to Appellate Court Judges

Legend: SC=Court of last resort; IA=Intermediate appellate court; ~=Not applicable

| | | Number of: | | |
|-----------------------|---------------------------|---|--|--------------------------|
| | | <u>Clerks for chief justices/judges</u> | <u>Clerks for each associate justice/judge</u> | <u>Central law staff</u> |
| Puerto Rico | | | | |
| SC | Supreme Court | 4 | 3 | 10 |
| IA | Court of Appeals | 2 | 1 | 19 |
| Rhode Island | | | | |
| SC | Supreme Court | 3 | 2 | 14 |
| South Carolina | | | | |
| SC | Supreme Court | 3 | 2 | 9 |
| IA | Court of Appeals | 2 | 2 | 9 |
| South Dakota | | | | |
| SC | Supreme Court | 1 | 1 | 3 |
| Tennessee | | | | |
| SC | Supreme Court | 2 | 2 | 8 |
| IA | Court of Appeals | 2 | 2 | 3 |
| IA | Court of Criminal Appeals | 2 | 2 | 3 |
| Texas | | | | |
| SC | Supreme Court | 3 ¹⁵ | 3 ¹⁵ | 3 |
| SC | Court of Criminal Appeals | 2 ¹⁵ | 2 ¹⁵ | 14 |
| IA | Courts of Appeals | 2 ¹⁶ | 2 ¹⁶ | 0 |
| Utah | | | | |
| SC | Supreme Court | 2 | 2 | 2 |
| IA | Court of Appeals | 2 | 2 | 4 |
| Vermont | | | | |
| SC | Supreme Court | 1 | 1 | 4 |
| Virginia | | | | |
| SC | Supreme Court | 1 | 1 | 10 ¹⁷ |
| IA | Court of Appeals | 1 | 1 | 9 |
| Washington | | | | |
| SC | Supreme Court | 2 | 2 | 8 |
| IA | Courts of Appeals | 2 | 2 | Varies ¹⁸ |
| West Virginia | | | | |
| SC | Supreme Court of Appeals | 4 | 4 | Varies ¹⁹ |
| Wisconsin | | | | |
| SC | Supreme Court | 1 | 1 | 4 |
| IA | Court of Appeals | 1 | 1 | 15 |
| Wyoming | | | | |
| SC | Supreme Court | 2 | 2 | 1 |

FOOTNOTES:

Alabama:
¹ Justices may have three positions. No more than two can be staff attorneys; the remainder may be law clerks.

California:
² A pilot project in the Fifth District allows three per justice.

Florida:
³ This is the total number of central law staff for all five courts of appeal in Florida. Individual courts have varying numbers of staff; the Fourth District has six.

Illinois:
⁴ Seven attorneys are in the research department; ten in the administrative office of the courts, and two in the clerk's office.

Indiana:
⁵ Judges may, at their own discretion, have more than three clerks.

Kentucky:
⁶ One attorney serves as Supreme Court administrator and general counsel.

Louisiana:
⁷ In addition, an attorney serves as executive counsel.

Michigan:
⁸ The Court of Appeals has 40 temporary, 32 permanent, and eight supervisory staff.

Montana:
⁹ Associate justices have two clerks each; three other justices share two "floating" clerks.

New Jersey:
¹⁰ The Chief Justice has four or five clerks, one or two of whom handle death penalty appeals.

New York:
¹¹ The Court of Appeals has one chief court attorney, one deputy chief court attorney, one and one half principal court attorneys, seven senior court attorneys, and five court attorneys.

Oregon:
¹² There are 17 clerks in total: seven judges have two clerks each; two judges have one clerk; there is one motions clerk.

Pennsylvania:
¹³ The Supreme Court does not employ central staff attorneys.

Table 20. Provision of Law Clerks to Appellate Court Judges

Rhode Island:

¹⁴ The law clerks assigned to the Supreme Court judges serve as the central law staff (total law clerks: 11).

Texas:

¹⁵ Generally, two law clerks and one permanent staff attorney are assigned to the Chief Justice and each justice of the Supreme Court, and one law clerk and one staff attorney are assigned to the presiding judge and each judge on the Court of Criminal Appeals.

¹⁶ Generally, two legal staff are employed for the Chief Justice and each justice of the 14 Courts of Appeals. These legal staff are distributed between law clerks and staff attorneys as determined by each Court of Appeals. The current trend is to staff with permanent attorneys, rather than law clerks.

Virginia:

¹⁷ Five are part-time employees.

Washington:

¹⁸ Division I with 10 judges has seven and one-half attorneys; Division II with seven judges has four, and Division III with five judges has one. Their duties vary.

West Virginia:

¹⁹ Clerks screen applications, but do not draft opinions or orders.

Table 21. Administrative Office of the Courts: Staffing and Responsibilities for Trial Court Functions

Legend: NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility

| | Total staff | Assignments for: | | | | | |
|----------------------|-------------|------------------|--------------------------------|----------------|---------------------|--------|--------------------|
| | | Accounting | Alternative dispute resolution | Sitting judges | Supplemental judges | Audits | Budget preparation |
| Alabama | 76 | ● | ○ | ○ | ● | ○ | ● |
| Alaska | 83 | ○ | ● | ○ | ○ | ○ | ○ |
| Arizona | 434 | ○ | ○ | ○ | ○ | ○ | ○ |
| Arkansas | 79 | ○ | ● | ○ | ○ | ○ | ● |
| California | 491 | ○ | ○ | ○ | ○ | ● | ○ |
| Colorado | 98 | ● | ○ | ● | ● | ● | ● |
| Connecticut | 150 | ● | ● | ● | ● | ○ | ● |
| Delaware | N/S | ○ | ○ | ○ | ○ | ○ | ○ |
| District of Columbia | N/S | ● | ○ | ○ | ○ | ○ | ● |
| Florida | 496 | ○ | ● | ○ | ○ | ○ | ○ |
| Georgia | 91 | ○ | ○ | ○ | ○ | ○ | ○ |
| Hawaii | 214 | ○ | ● | ○ | ○ | ● | ● |
| Idaho | 37 | ● | ● | ● | ● | ○ | ● |
| Illinois | 136 | ○ | ○ | ○ | ● | ○ | ● |
| Indiana | 55 | ○ | ○ | ○ | ● | ○ | ○ |
| Iowa | 60 | ○ | ○ | ○ | ○ | ○ | ● |
| Kansas | 46 | ● | ● | ● | ● | ○ | ● |
| Kentucky | 745 | ● | ○ | ○ | ● | ○ | ● |
| Louisiana | 77 | ○ | ○ | ● | ● | ● | ● |
| Maine | NR | NR | NR | NR | NR | NR | NR |
| Maryland | 398 | ● | ○ | ○ | ● | ○ | ● |
| Massachusetts | 154 | ● | ○ | ○ | ○ | ● | ● |
| Michigan | 113 | ○ | ○ | ● | ● | ○ | ○ |
| Minnesota | 187 | ○ | ● | ○ | ○ | ○ | ○ |
| Mississippi | 14 | ○ | N/S | ○ | ○ | ○ | ○ |
| Missouri | 233 | ○ | ○ | ● | ● | ○ | ● |
| Montana | 31 | ● | ○ | ○ | ○ | ○ | ● |
| Nebraska | 23 | ● | ● | ● | ● | ○ | ○ |
| Nevada | 29 | ○ | ○ | ● | ● | ○ | ○ |
| New Hampshire | 44 | ● | ○ | ○ | ○ | ● | ● |
| New Jersey | 619 | ● | ○ | ● | ● | ○ | ○ |
| New Mexico | 68 | ○ | ○ | ○ | ○ | ○ | ○ |
| New York | 223 | ○ | ● | ● | ● | ○ | ● |
| North Carolina | 271 | ● | ○ | ● | ● | ○ | ● |
| North Dakota | 22 | ● | ○ | ○ | ○ | ○ | ● |
| Ohio | N/S | ○ | ○ | ● | ● | ○ | ● |
| Oklahoma | 42 | ○ | ● | ○ | ○ | ○ | ○ |
| Oregon | 186 | ○ | ○ | ○ | ○ | ● | ○ |
| Pennsylvania | 308 | ○ | ○ | ○ | ● | ○ | ○ |
| Puerto Rico | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | 145 | ● | ○ | ○ | ○ | ● | ● |
| South Carolina | 21 | ○ | ○ | ● | ● | ○ | ○ |
| South Dakota | 32 | ● | ○ | ○ | ○ | ● | ● |
| Tennessee | 72 | ○ | ○ | ○ | ○ | ○ | ● |
| Texas | 58 | ○ | ○ | ○ | ○ | ○ | ○ |
| Utah | 99 | ○ | ● | ○ | ● | ● | ○ |
| Vermont | 29 | ● | ● | ● | ● | ○ | ● |
| Virginia | 135 | ● | ● | ○ | ● | ○ | ● |
| Washington | 164 | ○ | ○ | ○ | ○ | ○ | ○ |
| West Virginia | 40 | ○ | ○ | ○ | ○ | ○ | ○ |
| Wisconsin | 123 | ○ | ○ | ○ | ○ | ○ | ○ |
| Wyoming | 9 | ○ | ○ | ○ | ○ | ○ | ○ |

Table 21. Administrative Office of the Courts: Staffing and Responsibilities for Trial Court Functions

Legend: NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility

| | Facilities management | Foster care review | Human resources | Information | | | Judicial education |
|----------------------|-----------------------|--------------------|-----------------|-------------|--------------------|----------------------|--------------------|
| | | | | Data entry | Records management | IT staff (technical) | |
| Alabama | ○ | ○ | ● | ○ | ◐ | ● | ● |
| Alaska | ◐ | ○ | ● | ◐ | ◐ | ● | ● |
| Arizona | ◐ | ● | ◐ | ○ | ◐ | ◐ | ◐ |
| Arkansas | ◐ | ○ | ◐ | ● | ◐ | ● | ● |
| California | ◐ | ○ | ◐ | ◐ | ○ | ◐ | ● |
| Colorado | ● | ○ | ● | ● | ● | ● | ● |
| Connecticut | ● | ◐ | ● | ● | ● | ● | ● |
| Delaware | ◐ | ○ | ◐ | ○ | ◐ | ● | ◐ |
| District of Columbia | ● | ○ | ● | ○ | ○ | ● | ◐ |
| Florida | ○ | ○ | ◐ | ◐ | ◐ | ◐ | ● |
| Georgia | ○ | ○ | ◐ | ◐ | ◐ | ◐ | ◐ |
| Hawaii | ◐ | ○ | ● | ● | ● | ● | ● |
| Idaho | ● | ○ | ● | ○ | ● | ● | ● |
| Illinois | ◐ | ○ | ◐ | ◐ | ◐ | ◐ | ◐ |
| Indiana | ○ | ○ | ◐ | ● | ● | ● | ○ |
| Iowa | ◐ | ○ | ◐ | ◐ | ◐ | ● | ● |
| Kansas | ◐ | ● | ● | ● | ● | ● | ● |
| Kentucky | ● | ● | ● | ◐ | ◐ | ● | ● |
| Louisiana | ○ | ○ | ◐ | ◐ | ◐ | ◐ | ◐ |
| Maine | NR | NR | NR | NR | NR | NR | NR |
| Maryland | ◐ | ● | ● | ● | ● | ● | ◐ |
| Massachusetts | ● | ○ | ● | ● | ● | ● | ● |
| Michigan | ○ | ◐ | ○ | ○ | ◐ | ○ | ◐ |
| Minnesota | ◐ | ○ | ◐ | ○ | ◐ | ● | ◐ |
| Mississippi | ◐ | ○ | ◐ | ◐ | ◐ | ◐ | ◐ |
| Missouri | ◐ | ○ | ◐ | ◐ | ◐ | ◐ | ◐ |
| Montana | ● | ○ | ● | ○ | ◐ | ● | ◐ |
| Nebraska | ◐ | ○ | ● | ○ | ◐ | ● | ● |
| Nevada | ○ | ○ | ◐ | ○ | ◐ | ◐ | ● |
| New Hampshire | ◐ | ○ | ● | ○ | ◐ | ● | ○ |
| New Jersey | ◐ | ● | ○ | ● | ◐ | ● | ● |
| New Mexico | ◐ | ● | ◐ | ○ | ○ | ◐ | ○ |
| New York | ◐ | ◐ | ● | ● | ● | ● | ● |
| North Carolina | ○ | ○ | ● | ● | ● | ● | ◐ |
| North Dakota | ◐ | ◐ | ● | ● | ● | ● | ● |
| Ohio | ● | ○ | ◐ | ◐ | ◐ | ◐ | ● |
| Oklahoma | ◐ | ○ | ◐ | ◐ | ◐ | ● | ● |
| Oregon | ◐ | ● | ◐ | ◐ | ◐ | ◐ | ◐ |
| Pennsylvania | ◐ | ○ | ◐ | ○ | ◐ | ◐ | ● |
| Puerto Rico | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | ● | ○ | ◐ | ○ | ○ | ● | ● |
| South Carolina | ○ | ○ | ○ | ◐ | ◐ | ○ | ● |
| South Dakota | ◐ | ○ | ● | ◐ | ◐ | ● | ● |
| Tennessee | ◐ | ○ | ◐ | ● | ◐ | ● | ● |
| Texas | ○ | ◐ | ○ | ◐ | ○ | ◐ | ○ |
| Utah | ◐ | ○ | ◐ | ○ | ◐ | ● | ● |
| Vermont | ◐ | ◐ | ● | ● | ● | ● | ● |
| Virginia | ○ | ◐ | ● | ○ | ◐ | ● | ● |
| Washington | ○ | ○ | ◐ | ◐ | ◐ | ◐ | ● |
| West Virginia | ◐ | ○ | ○ | ◐ | ○ | ◐ | ◐ |
| Wisconsin | ○ | ◐ | ◐ | ◐ | ◐ | ● | ● |
| Wyoming | ◐ | ○ | ◐ | ◐ | ◐ | ● | ◐ |

Table 21. Administrative Office of the Courts: Staffing and Responsibilities for Trial Court Functions

Legend: NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility

| | Law libraries | Legal research (Law clerks) | Legal representation/ general counsel | Legal services (other) | Liaison with legislature | Probation- adult | Probation- juvenile |
|----------------------|---------------|--------------------------------|---|---------------------------|-----------------------------|---------------------|------------------------|
| Alabama | ○ | ● | ● | ○ | ● | ○ | ● |
| Alaska | ● | ○ | ● | ○ | ● | ○ | ○ |
| Arizona | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Arkansas | ○ | ● | ○ | ● | ● | ○ | ● |
| California | ○ | ○ | ● | ● | ○ | ○ | ○ |
| Colorado | ○ | ○ | ○ | ○ | ● | ○ | ○ |
| Connecticut | ● | ● | ○ | ● | ● | ● | ● |
| Delaware | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| District of Columbia | ○ | ○ | ● | ○ | ● | ○ | ○ |
| Florida | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Georgia | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Hawaii | ● | ○ | ● | ● | ● | ○ | ○ |
| Idaho | ○ | ○ | ● | ○ | ● | ○ | ○ |
| Illinois | ○ | ○ | ○ | ○ | ● | ○ | ○ |
| Indiana | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Iowa | ○ | ○ | ○ | ○ | ● | ○ | ○ |
| Kansas | ○ | ● | ○ | ○ | ● | ○ | ○ |
| Kentucky | ○ | ● | ● | ○ | ● | ○ | ○ |
| Louisiana | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Maine | NR | NR | NR | NR | NR | NR | NR |
| Maryland | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Massachusetts | ● | ○ | ○ | ○ | ● | ● | ● |
| Michigan | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Minnesota | ○ | ○ | ● | ● | ○ | ○ | ○ |
| Mississippi | ○ | ○ | ○ | N/S | ○ | ○ | ○ |
| Missouri | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Montana | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Nebraska | ● | ● | ○ | ○ | ● | ● | ● |
| Nevada | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| New Hampshire | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| New Jersey | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| New Mexico | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| New York | ● | ● | ● | ● | ● | ○ | ○ |
| North Carolina | ○ | ● | ○ | ● | ● | ○ | ○ |
| North Dakota | ● | ○ | ● | ● | ○ | ○ | ○ |
| Ohio | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Oklahoma | ○ | ○ | ○ | ○ | ● | ○ | ○ |
| Oregon | ○ | ○ | ● | ○ | ○ | ○ | ○ |
| Pennsylvania | ○ | ○ | ● | ○ | ● | ○ | ○ |
| Puerto Rico | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | ● | ● | ● | ● | ○ | ○ | ○ |
| South Carolina | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| South Dakota | ○ | ○ | ● | ● | ● | ● | ● |
| Tennessee | ● | ○ | ○ | ○ | ● | ○ | ○ |
| Texas | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Utah | ○ | ○ | ● | ● | ● | ○ | ○ |
| Vermont | ○ | ● | ○ | ○ | ● | ○ | ○ |
| Virginia | ● | ○ | ○ | ● | ● | ○ | ○ |
| Washington | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| West Virginia | ○ | ○ | ○ | N/S | ○ | ○ | ○ |
| Wisconsin | ○ | ○ | ○ | ○ | ● | ○ | ○ |
| Wyoming | ○ | ○ | ○ | ○ | ○ | ○ | ○ |

Table 21. Administrative Office of the Courts: Staffing and Responsibilities for Trial Court Functions

Legend: NR=No response; N/S=Not stated; ●=Total responsibility; ◐=Shared responsibility; ○=No responsibility

| | Public information | Purchasing | Research/ planning | Security | Technical assistance to courts | Other |
|----------------------|--------------------|------------|--------------------|----------|--------------------------------|--|
| Alabama | ● | ◐ | ● | ◐ | ● | |
| Alaska | ● | ◐ | ● | ◐ | ● | |
| Arizona | ◐ | ◐ | ◐ | ◐ | ◐ | |
| Arkansas | ● | ◐ | ● | ● | ● | ● Interpreters, record audits, Court Appointed Special Advocates |
| California | ◐ | ◐ | ◐ | ◐ | ◐ | ◐ Improving court services |
| Colorado | ● | ● | ● | ○ | ● | |
| Connecticut | ● | ● | ● | ● | ● | |
| Delaware | ◐ | ◐ | ◐ | ◐ | ● | ◐ Interpreters ● Staff training |
| District of Columbia | ● | ● | ● | ● | ● | |
| Florida | ● | ● | ● | ○ | ● | ◐ Emergency preparedness |
| Georgia | ◐ | ◐ | ◐ | ○ | ◐ | ◐ Emergency preparedness |
| Hawaii | ● | ◐ | ● | ◐ | ● | |
| Idaho | ● | ● | ● | ◐ | ● | ● Court leadership ◐ Media relations |
| Illinois | ◐ | ◐ | ◐ | ◐ | ◐ | |
| Indiana | ◐ | ◐ | ◐ | ◐ | ◐ | |
| Iowa | ● | ◐ | ● | ◐ | ● | ● Judicial Qualifications Commission; judicial retirement system |
| Kansas | ● | ◐ | ● | ◐ | ● | |
| Kentucky | ● | ● | ● | ◐ | ● | |
| Louisiana | ◐ | ◐ | ◐ | ○ | ● | ● New judgeship review; court cost review |
| Maine | NR | NR | NR | NR | NR | NR |
| Maryland | ◐ | ● | ● | ◐ | ◐ | ● Family/child services; interpreters; staff Jud. Conf. committees |
| Massachusetts | ◐ | ● | ● | ● | ● | |
| Michigan | ◐ | ○ | ◐ | ◐ | ● | |
| Minnesota | ◐ | ◐ | ● | ○ | ● | ● Child support magistrates ◐ Interpreters; guardians ad litem |
| Mississippi | ◐ | ◐ | ◐ | ◐ | ◐ | |
| Missouri | ○ | ◐ | ◐ | ◐ | ● | |
| Montana | ◐ | ● | ● | ◐ | ● | |
| Nebraska | ● | ◐ | ● | ◐ | ● | |
| Nevada | ◐ | ◐ | ◐ | ○ | ◐ | |
| New Hampshire | ◐ | ◐ | ◐ | ◐ | ● | |
| New Jersey | ◐ | ◐ | ● | ○ | ● | ● Printing ◐ Volunteer management ◐ Interpreters |
| New Mexico | ◐ | ◐ | ◐ | ◐ | ◐ | |
| New York | ● | ● | ● | ● | ● | |
| North Carolina | ● | ● | ● | ○ | ● | |
| North Dakota | ● | ● | ● | ◐ | ● | |
| Ohio | ● | ● | ● | ● | ● | |
| Oklahoma | ● | ◐ | ◐ | ◐ | ● | |
| Oregon | ◐ | ◐ | ◐ | ◐ | ◐ | ◐ Interpreters; foster care review |
| Pennsylvania | ◐ | ○ | ◐ | ◐ | ● | |
| Puerto Rico | NR | NR | NR | NR | NR | NR |
| Rhode Island | ◐ | ● | ◐ | ◐ | ● | |
| South Carolina | ◐ | ○ | ● | ○ | ● | |
| South Dakota | ● | ● | ● | ◐ | ● | |
| Tennessee | ● | ● | ● | ● | ● | |
| Texas | ◐ | ○ | ◐ | ○ | ◐ | |
| Utah | ● | ◐ | ● | ◐ | ● | |
| Vermont | ● | ◐ | ● | ● | ● | |
| Virginia | ● | ● | ● | ◐ | ● | |
| Washington | ◐ | ◐ | ● | ○ | ● | |
| West Virginia | ◐ | ◐ | ◐ | ◐ | ◐ | |
| Wisconsin | ● | ◐ | ● | ◐ | ● | |
| Wyoming | ◐ | ◐ | ◐ | ◐ | N/S | |

Part IV: Appellate Courts: Jurisdiction and Procedures

Appellate courts do not determine guilt in criminal cases, or liability in civil cases, nor do they ensure that trial proceedings in lower courts are flawless. Instead, appellate courts are charged with assessing whether or not errors have been committed at trial.

Courts of last resort were established early in a state's history, while intermediate appellate courts are a more contemporary development. In 1957, only 13 states had a permanent intermediate appellate court. Some states, however, had previously established and then disbanded such a court. Currently 39 states have both types of appellate courts. In these states parties wishing to challenge a trial court decision typically bring their appeal first to the intermediate appellate court. For most criminal appeals the intermediate appellate court must accept the case because the court's jurisdiction is mandatory. Because intermediate appellate courts tend to have some discretion to decide whether to hear civil appeals, not all civil cases are necessarily accepted.

Once the intermediate appellate court hears a case and reaches a decision, a dissatisfied party may petition the court of last resort for further review. The COLR, which generally has broad discretionary jurisdiction in both civil and criminal appeals, must first decide whether to accept the case for review. If the petition is granted, the court hears the case and renders a decision. However, if the petition is denied, the litigation is terminated and the ruling of the intermediate appellate court stands. The major exceptions to this scenario are death-penalty cases. In those states with capital punishment, death-penalty appeals are invariably filed directly in the court of last resort as a mandatory appeal.

Table 22 describes the allocation of mandatory and discretionary jurisdiction for eight types of appeal. In ten states and the District of Columbia, there is a single appellate court. Generally, a court of last resort in a state with no other appellate court has mandatory jurisdiction for most categories of appeal. There are exceptions to this rule such as West Virginia which has discretionary jurisdiction.

Intermediate appellate courts typically conduct their business in panels rather than en banc. The information on panel structure contained in Table 23 is therefore basic to these courts. The number of panels in each appellate court, their size, whether they are permanent or rotating, and the frequency of rotation are indicated in this table.

Appellate courts with discretionary jurisdiction require procedures for selecting the cases to be reviewed. Table 24 indicates who makes the decision to grant a petition in each appellate court with discretionary jurisdiction: the court en banc, a panel, a commissioner, or a single justice. The decision-ratio used for granting

review is also indicated where the decision is made by the court en banc or a panel of justices/judges. In all but four states and the District of Columbia, the court of last resort reviews petitions en banc (the exceptions are Florida, Iowa, Virginia, and Washington), although some COLRs use a combination of en banc proceedings, panels, or a single justice depending on the nature of the case. A majority of the court or panel must agree to accept the case in most courts of last resort. In 15 states, a minority, and, in a few courts, a single member of the full court or panel can grant review. The decision rule may vary by the type of case under consideration.

Most appellate courts provide for expediting procedures that allow especially time-sensitive cases to be heard more expeditiously. Table 25 describes the types of expedited appeals for each appellate court as well as the respective procedures applied in processing appeals.

Appellate courts may restrict oral argument for routine cases. Table 26 indicates the time limit imposed on both appellants and respondents, whether a formal request for oral argument must be filed, and under what circumstances oral argument is automatically scheduled.

Appellate courts often review the decisions of administrative agencies. Table 27 describes which courts have jurisdiction to review the decisions made by eight categories of administrative agencies in each state. That review is sometimes undertaken by trial courts exercising their "incidental appellate jurisdiction."

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Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; ■=Mandatory jurisdiction; □=Discretionary jurisdiction; ■□=Both mandatory and discretionary jurisdiction

Note: Blank spaces indicate that the court does not have jurisdiction.

| | | Appeals | | | Extraordinary writs | Guilty pleas | Post conviction relief | Death penalty cases | Sentencing issues |
|-----------------------------|-------------------------------|----------------|----------------|-----------------------|---------------------|----------------|------------------------|---------------------|-------------------|
| | | Civil | Criminal | Administrative agency | | | | | |
| Alabama | | | | | | | | | |
| SC | Supreme Court | ■ | | ■ | ■ | | □ | ■ | □ |
| IA | Court of Civil Appeals | ■ | | ■ | □ | | | | |
| IA | Court of Criminal Appeals | | ■ | | ■ | | ■ | ■ | ■ |
| Alaska | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■□ | | ■ | | □ |
| IA | Court of Appeals | | ■□ | | ■□ | | ■ | | ■ |
| Arizona | | | | | | | | | |
| SC | Supreme Court | ■□ | ■□ | □ | □ | □ | □ | ■ | |
| IA | Court of Appeals | ■ | ■ | ■ ¹ | ■ | | ■ | | ■ ² |
| Arkansas | | | | | | | | | |
| SC | Supreme Court | ■□ | □ | □ | ■ | | ■ | ■ | □ |
| IA | Court of Appeals | ■ | ■ | ■ | | | | | ■ |
| California | | | | | | | | | |
| SC | Supreme Court | □ | □ | □ | □ | □ | □ | ■ | □ |
| IA | Courts of Appeal | ■ | ■ | □ | □ | ■ | □ | | ■ |
| Colorado | | | | | | | | | |
| SC | Supreme Court | ■□ | ■□ | ■□ | ■□ | □ | □ | ■ | □ |
| IA | Court of Appeals | ■ | ■ | ■ | | ■ | ■ | | ■ |
| Connecticut | | | | | | | | | |
| SC | Supreme Court | □ | ■ ³ | □ | ■ | □ ³ | □ | ■ | |
| IA | Appellate Court | ■ | ■ | ■ | ■ | ■ | ■ | | |
| Delaware | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| District of Columbia | | | | | | | | | |
| SC | Court of Appeals | ■ | ■ | ■ | ■ | ⁴ | ■ | | ■ |
| Florida | | | | | | | | | |
| SC | Supreme Court | ■□ | ■ ⁵ | ■ ⁶ | □ | ⁷ | ■ ⁵ | ■ | ■□ |
| IA | District Courts of Appeal | ■ | ■ | ■ | □ | | ■ | | ■ |
| Georgia | | | | | | | | | |
| SC | Supreme Court | ■□ | ■□ | □ | ■□ | ■ | □ | ■ | ■ |
| IA | Court of Appeals | ■□ | ■□ | □ | | ■ | | | ■ |
| Hawaii | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | □ | ■ | ■ | | ■ |
| IA | Intermediate Court of Appeals | ■ | ■ | ■ | □ | ■ | ■ | | ■ |
| Idaho | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| IA | Court of Appeals | ■ | ■ | | | ■ | ■ | | ■ |
| Illinois | | | | | | | | | |
| SC | Supreme Court | □ | ■□ | ■□ | □ | □ | □ | ■ | □ |
| IA | Appellate Court | ■ ⁸ | ■ | ■ | | ■ | ■ | | ■ |
| Indiana | | | | | | | | | |
| SC | Supreme Court | ■□ | ■□ | □ | ■ | ■□ | ■□ | ■ | ■ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| IA | Tax Court | | | ■ | | | | | |
| Iowa | | | | | | | | | |
| SC | Supreme Court | ■□ | ■□ | ■ | ■□ | ■ | ■□ | | ■□ |
| IA | Court of Appeals | ■□ | ■□ | ■ | ■□ | ■ | ■□ | | ■□ |
| Kansas | | | | | | | | | |
| SC | Supreme Court | ■□ | ■□ | ■□ | ■ | ■□ | ■ | ■ | ■□ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Kentucky | | | | | | | | | |
| SC | Supreme Court | ■□ | ■ ⁹ | □ | ■ | ■ ⁹ | ■ ⁹ | ■ | ■ ¹⁰ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |

Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; ■=Mandatory jurisdiction; □=Discretionary jurisdiction; ■□=Both mandatory and discretionary jurisdiction

Note: Blank spaces indicate that the court does not have jurisdiction.

| | | Appeals | | | Extraordinary writs | Guilty pleas | Post conviction relief | Death penalty cases | Sentencing issues |
|-----------------------|---|---------|-----------------|-----------------------|---------------------|--------------|------------------------|---------------------|-------------------|
| | | Civil | Criminal | Administrative agency | | | | | |
| Louisiana | | | | | | | | | |
| SC | Supreme Court | ■□ | ■ | ■□ | □ | ■□ | □ | ■ | □ |
| IA | Courts of Appeal | ■ | ■ | ■ | □ | ■□ | □ | | □ |
| Maine | | | | | | | | | |
| SC | Supreme Judicial Court | ■ | ■ ¹¹ | ■ ¹² | | ■ | □ | | □ |
| Maryland | | | | | | | | | |
| SC | Court of Appeals | □ | □ | □ | □ | □ | □ | ■ | □ |
| IA | Court of Special Appeals | ■ | ■ | ■ | ■ | □ | □ | | □ |
| Massachusetts | | | | | | | | | |
| SC | Supreme Judicial Court | ■□ | ■ | ■□ | □ | | □ | | |
| IA | Appeals Court | ■ | ■ | ■ | □ | | □ | | |
| Michigan | | | | | | | | | |
| SC | Supreme Court ¹³ | □ | □ | □ | ■ | □ | □ | | □ |
| IA | Court of Appeals | ■□ | ■□ | ■□ | □ | □ | ■□ | | ■□ |
| Minnesota | | | | | | | | | |
| SC | Supreme Court | ■□ | ■ | □ | □ | □ | □ | | □ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Mississippi | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | | ■ | ■ | |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | | ■ | | |
| Missouri | | | | | | | | | |
| SC | Supreme Court | ■□ | □ | □ | □ | □ | □ | ■ | □ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Montana | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | □ | □ | ■ | ■ | ■ | ¹⁴ |
| Nebraska | | | | | | | | | |
| SC | Supreme Court | □ | □ | □ | ■ | □ | □ | ■ | □ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Nevada | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| New Hampshire | | | | | | | | | |
| SC | Supreme Court | □ | □ | □ | □ | □ | □ | ■ | □ |
| New Jersey | | | | | | | | | |
| SC | Supreme Court ¹⁵ | ■□ | ■ | ■□ | ■ | ■ | ■ | ■ | ■□ |
| IA | Superior Court, Appellate Div. | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| New Mexico | | | | | | | | | |
| SC | Supreme Court | ■□ | ■ ¹⁶ | ■ ¹⁷ | □ | | □ | ■ | |
| IA | Court of Appeals | ■ | ■ | ■ | | ■ | | | ■ |
| New York | | | | | | | | | |
| SC | Court of Appeals | ■ | ■ | ■ | ■ | □ | □ | ■ | □ |
| IA | Supreme Ct., Appellate Div. ¹⁸ | ■ | ■ | ■ | ■ | ■ | □ | | ■ |
| North Carolina | | | | | | | | | |
| SC | Supreme Court | □ | □ | ■□ | □ | □ | □ | ■ | ■□ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| North Dakota | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | □ | ■ | ■ | | ■ |
| Ohio | | | | | | | | | |
| SC | Supreme Court | ■□ | ■ | ■□ | ■ | □ | □ | ■ | □ |
| IA | Courts of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Oklahoma | | | | | | | | | |
| SC | Supreme Court | ■ | | ■ | ■ | | | | |
| SC | Court of Criminal Appeals | | ■ | | ■ | ■ | ■ | ■ | ■ |
| IA | Court of Civil Appeals ¹⁹ | ■ | | ■ | ■ | | | | |

Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; ■=Mandatory jurisdiction; □=Discretionary jurisdiction; ■□=Both mandatory and discretionary jurisdiction

Note: Blank spaces indicate that the court does not have jurisdiction.

| | | Appeals | | | Extraordinary writs | Guilty pleas | Post conviction relief | Death penalty cases | Sentencing issues |
|-----------------------|---------------------------|---------|----------|-----------------------|---------------------|--------------|------------------------|---------------------|-------------------|
| | | Civil | Criminal | Administrative agency | | | | | |
| Oregon | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | | ■ | | ■ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Pennsylvania | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | | ■ | ■ | |
| IA | Superior Court | ■ | ■ | | | ■ | ■ | | ■ |
| IA | Commonwealth Court | ■ | ■ | ■ | ■ | | ■ | | |
| Puerto Rico | | | | | | | | | |
| SC | Supreme Court | □ | □ | □ | □ | □ | □ | | ■ |
| IA | Court of Appeals | □ | □ | □ | □ | □ | □ | | ■ |
| Rhode Island | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | □ | | ■ | | ■ |
| South Carolina | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | □ | ■ | □ | ■ | ■ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | | | |
| South Dakota | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | □ | ■ | ■ | ■ | ■ |
| Tennessee | | | | | | | | | |
| SC | Supreme Court | □ | □ | □ | □ | □ | □ | ■ | □ |
| IA | Court of Appeals | ■ | | ■ | □ | | | | |
| IA | Court of Criminal Appeals | | ■ | | □ | ■ | ■ | ■ | ■ |
| Texas | | | | | | | | | |
| SC | Supreme Court | □ | | □ | ■ | | | | |
| SC | Court of Criminal Appeals | | ■ | | ■ | □ | □ | ■ | ■ |
| IA | Courts of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Utah | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | □ | ■ | □ | ■ | ■ |
| IA | Court of Appeals | ■ | ■ | ■ | □ | ■ | □ | | ■ |
| Vermont | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | ■ | ■ | | □ |
| Virginia | | | | | | | | | |
| SC | Supreme Court | □ | □ | ■ | □ | □ | □ | ■ | □ |
| IA | Court of Appeals | | □ | ■ | □ | □ | □ | | □ |
| Washington | | | | | | | | | |
| SC | Supreme Court | □ | □ | □ | □ | □ | □ | ■ | □ |
| IA | Courts of Appeals | ■ | ■ | ■ | | ■ | ■ | | ■ |
| West Virginia | | | | | | | | | |
| SC | Supreme Court of Appeals | □ | □ | □ | □ | □ | □ | | □ |
| Wisconsin | | | | | | | | | |
| SC | Supreme Court | □ | □ | □ | □ | □ | □ | | □ |
| IA | Court of Appeals | ■ | ■ | ■ | ■ | ■ | ■ | | ■ |
| Wyoming | | | | | | | | | |
| SC | Supreme Court | ■ | ■ | ■ | ■ | ■ | □ | ■ | ■ |

FOOTNOTES:

Arizona:

¹ Division I has discretion in unemployment appeals.

² Sentencing issues might be raised in any case.

Connecticut:

³ Mandatory jurisdiction exists if the maximum sentence that could be imposed for a felony offense exceeds 20 years.

District of Columbia:

⁴ There is no direct appeal of a guilty plea. However, review is possible from a “conditional plea” (reserving the right to review the adverse determination of specified pretrial motions).

Florida:

⁵ The court has mandatory jurisdiction in death penalty cases.

⁶ The Public Service Commission hears these appeals.

⁷ The court has no jurisdiction over the conviction, but mandatory jurisdiction over the sentence after the guilty plea.

Table 22. Mandatory and Discretionary Jurisdiction of Appellate Courts**Illinois:**

⁸ There is discretionary jurisdiction for Rule 306 and Rule 308 interlocutory appeals.

Kentucky:

⁹ The court has mandatory jurisdiction if sentence is more than 20 years, life, or death.

¹⁰ The court has mandatory jurisdiction in capital cases.

Maine:

¹¹ Extradition cases, which are discretionary, are an exception.

¹² Workers' compensation appeals, which are discretionary, are an exception.

Michigan:

¹³ This court has mandatory jurisdiction over judicial tenure commission matters where the commission has entered a disciplinary order.

Montana:

¹⁴ Sentencing issues are handled by a sentence review division.

New Jersey:

¹⁵ The court has mandatory jurisdiction when there is a dissent in the Appellate Division or when substantial constitutional question of first impression is presented.

New Mexico:

¹⁶ Original jurisdiction exists only in murder cases if a life or death sentence was imposed.

¹⁷ The court has mandatory jurisdiction only in administrative agency appeals from the Public Regulatory Commission, not other administrative agencies.

New York:

¹⁸ Appellate Terms of the Supreme Court has mandatory jurisdiction in civil appeals, criminal appeals, extraordinary writs, guilty pleas, and post conviction relief.

Oklahoma:

¹⁹ This Includes cases assigned by the Supreme Court.

Table 23. The Structure of Appellate Court Panels

Legend: SC=Court of last resort; IA=Intermediate appellate court; VA=Varies; ~=Not applicable

Note: Only those courts that sit in panels are included in this table.

| | | Number of panels | Size | Membership (permanent or rotating) | Frequency of rotation |
|-----------------------------|-------------------------------|-----------------------|----------------|------------------------------------|-----------------------|
| Alabama | | | | | |
| SC | Supreme Court | 2 | 5 | Permanent | ~ |
| Arizona | | | | | |
| SC | Supreme Court | Rotating ¹ | 3 | Rotating | VA |
| IA | Court of Appeals | 7 ² | 3 | Rotating | 3 times/ year |
| Arkansas | | | | | |
| IA | Court of Appeals | 4 | 3 | Rotating | 3 |
| California | | | | | |
| IA | Courts of Appeal | VA | 3 | 4 | Case/ calendar |
| Colorado | | | | | |
| IA | Court of Appeals | 3 ⁵ | 3 | Rotating | 3 times/ year |
| Delaware | | | | | |
| SC | Supreme Court | 10 | 3 | Rotating | By case |
| District of Columbia | | | | | |
| SC | Court of Appeals | VA ⁶ | 3 | Rotating | Daily ⁶ |
| Florida | | | | | |
| SC | Supreme Court | VA ⁷ | ~ | Rotating | VA |
| IA | District Courts of Appeal | VA | 3 | Rotating | VA |
| Georgia | | | | | |
| IA | Court of Appeals | 3 | 3 | Rotating | Yearly |
| Hawaii | | | | | |
| IA | Intermediate Court of Appeals | VA | 3 | Rotating | VA |
| Illinois | | | | | |
| IA | Appellate Court | VA | 3 ⁸ | Rotating | By case ⁹ |
| Indiana | | | | | |
| IA | Court of Appeals | 5 | 3 | Permanent | ~ |
| Iowa | | | | | |
| IA | Court of Appeals | 3 | 3 | Rotating | Monthly |
| Kansas | | | | | |
| IA | Court of Appeals | 3 or 4 ¹⁰ | 3 | Rotating | 11 |
| Kentucky | | | | | |
| IA | Court of Appeals | 4 | 3 | Rotating | Monthly |
| Louisiana | | | | | |
| IA | Courts of Appeal | VA | 3 or 5 | Rotating | Monthly |
| Maryland | | | | | |
| IA | Court of Special Appeals | VA | 3 | Rotating | VA |
| Massachusetts | | | | | |
| SC | Supreme Judicial Court | 1 | 7 | Permanent | ~ |
| IA | Appeals Court | 7 | 3 | Rotating | Monthly |
| Michigan | | | | | |
| IA | Court of Appeals | 9 | 3 | Rotating | Monthly |
| Minnesota | | | | | |
| SC | Supreme Court | VA | 3 | Rotating | Monthly |
| IA | Court of Appeals | 4 | 3 | Rotating | Monthly |
| Mississippi | | | | | |
| SC | Supreme Court | 3 | 3 | Rotating | Every 6 weeks |
| IA | Court of Appeals | 3 | 3 | Rotating | Every 6 weeks |
| Missouri | | | | | |
| IA | Court of Appeals | 12 | 13 | Rotating | 14 |
| Montana | | | | | |
| SC | Supreme Court | 2 | 5 | Rotating | By case |
| Nebraska | | | | | |
| IA | Court of Appeals | 2 | 3 | Rotating | 3 months |

Table 23. The Structure of Appellate Court Panels

Legend: SC=Court of last resort; IA=Intermediate appellate court; VA=Varies; ~ =Not applicable

Note: Only those courts that sit in panels are included in this table.

| | | Number of panels | Size | Membership (permanent or rotating) | Frequency of rotation |
|-----------------------|--------------------------------|-----------------------|-----------------|------------------------------------|-----------------------|
| Nevada | | | | | |
| SC | Supreme Court | 2 | 3 | Rotating | 12 months |
| New Jersey | | | | | |
| IA | Superior Court, Appellate Div. | 8 parts of 4-5 judges | 2-3 | Rotating | ¹⁵ |
| New Mexico | | | | | |
| IA | Court of Appeals | VA | 3 | Rotating | By case |
| New York | | | | | |
| IA | Supreme Ct., Appellate Div. | VA | ~ ¹⁶ | Rotating | Daily |
| North Carolina | | | | | |
| IA | Court of Appeals | 5 | 3 | Rotating | VA |
| Ohio | | | | | |
| IA | Courts of Appeals | VA | 3 | Rotating | Weekly |
| Oklahoma | | | | | |
| IA | Court of Appeals | 4 | 3 | Rotating | Annually |
| Oregon | | | | | |
| IA | Court of Appeals | 3 | 3 | Rotating | ¹⁷ |
| Pennsylvania | | | | | |
| IA | Superior Court | VA | 3 | Rotating ¹⁸ | Discretionary |
| IA | Commonwealth Court | VA | 3 | Rotating | Discretionary |
| Puerto Rico | | | | | |
| IA | Court of Appeals | 11 | 3 | Rotating | Yearly |
| Rhode Island | | | | | |
| SC | Supreme Court | 19 | 19 | 19 | 19 |
| South Carolina | | | | | |
| IA | Court of Appeals | 3 | 3 | Rotating | Quarterly |
| Tennessee | | | | | |
| IA | Court of Appeals | 3 | 3 | Permanent | ~ |
| IA | Court of Criminal Appeals | 3 | 3 | Permanent | ~ |
| Texas | | | | | |
| IA | Courts of Appeals | VA | 3 | Rotating | VA |
| Utah | | | | | |
| IA | Court of Appeals | VA | 3 | Rotating | Monthly |
| Vermont | | | | | |
| SC | Supreme Court | ²⁰ | 3 | Rotating | Monthly |
| Virginia | | | | | |
| SC | Supreme Court | 3 | 3 | Permanent | ~ |
| IA | Court of Appeals | VA | 3 | Rotating | VA |
| Washington | | | | | |
| IA | Courts of Appeals | VA | 3 | Rotating | Varies by division |
| Wisconsin | | | | | |
| IA | Court of Appeals | 4 | 3 | ²¹ | By case |

FOOTNOTES:**Arizona:**

¹ Rotating panels are used for select categories of cases.

² Five are in Division 1; two are in Division 2.

Arkansas:

³ Rotation occurs every four weeks during submissions.

California:

⁴ Court of Appeals: divisions of three judges are permanent; divisions of four or more rotate within the division.

Colorado:

⁵ Court of Appeals: the panels draft all opinions and then submit drafts to full court for final approval.

District of Columbia:

⁶ These decisions are made by a "motions division" of three judges who are assigned to consider matters such as this. In addition to panels selected to hear cases scheduled for argument/submissions without argument after briefing, there is a monthly three-judge panel selected to consider and decide substantive and policy-implicating procedural motions and other matters.

Florida:

⁷ Oral arguments and merit panel are en banc. Five are on the original writ panel.

Table 23. The Structure of Appellate Court Panels

Illinois:

⁸ An exception is the "Industrial Division" of the intermediate appellate court, which sits in a panel of five.

⁹ In Cook County there are six divisions of four judges each. They sit in rotating panels of three.

Kansas:

¹⁰ Court of Appeals: panels may be supplemented by other judges from time to time, and the composition of a panel may vary from case to case.

¹¹ The Chief Judge designates as necessary; rotation occurs once every four weeks.

Missouri:

¹² There are four panels in the western district, five in the eastern district, and two in the southern district.

¹³ Panels are made up of three members in western and eastern districts; the southern district has one three-member panel and one four-member panel.

¹⁴ Rotation occurs yearly in the eastern and southern districts; quarterly in the western district.

New Jersey:

¹⁵ Rotation occurs yearly for parts; panels rotate by case.

New York:

¹⁶ Appellate Divisions of Supreme Court: Panels are made up of four members in the Second Division; five in First, Third, and Fourth Departments.

Oregon:

¹⁷ Rotation occurs at the discretion of the Chief Judge.

Pennsylvania:

¹⁸ Members are appointed by the President Judge.

Rhode Island

¹⁹ For purposes of the initial review of a petition, the Court does not sit in panels. If the matter is assigned for argument (i.e., after granting a writ of certiorari), the Court by Rule may sit in a panel of three, although the general practice is to hear all matters en banc.

Vermont:

²⁰ The court sits in panels on "fast track" cases.

Wisconsin:

²¹ Panels are permanent in District 3. Judges in Districts 1, 2, and 4 rotate.

Table 24. Reviewing Discretionary Petitions

Legend: SC=Court of last resort; IA=Intermediate appellate court; VA=Varies; ~=Not applicable

Note: Only those courts with discretionary jurisdiction are included in this table.

| | | Number of judges | | Who makes decision on granting petitions? |
|-----------------------------|-------------------------------|----------------------------------|---------------------------|---|
| | | Deciding whether to grant review | Necessary to grant review | |
| Alabama | | | | |
| SC | Supreme Court | 9 | 5 | En banc, panel |
| Alaska | | | | |
| SC | Supreme Court | 5 | 3 | En banc ¹ |
| IA | Court of Appeals | 3 | 2 | En banc ¹ |
| Arizona | | | | |
| SC | Supreme Court | 5 | 3 | En banc, sometimes panel |
| IA | Court of Appeals | 3 | 2 | Panel |
| Arkansas | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| California | | | | |
| SC | Supreme Court | 7 | 4 | En banc ² |
| IA | Courts of Appeal | 3 | 2 | Panel ² |
| Colorado | | | | |
| SC | Supreme Court | 3 | 3 | En banc |
| Connecticut | | | | |
| SC | Supreme Court | 7 | 3 | En banc |
| IA | Appellate Court | 9 | 2 | En banc |
| Delaware | | | | |
| SC | Supreme Court | 3 | 3 | En banc, panel |
| District of Columbia | | | | |
| SC | Court of Appeals | 3 | 1 or 2 ³ | Panel |
| Florida | | | | |
| SC | Supreme Court | 5 | 4 | Panel |
| IA | District Courts of Appeal | 3 | 2 | Panel |
| Georgia | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| IA | Court of Appeals | 3 | 1 | Panel |
| Hawaii | | | | |
| SC | Supreme Court | 5 | 3 | En banc |
| IA | Intermediate Court of Appeals | 3 | 2 | Panel ⁴ |
| Idaho | | | | |
| SC | Supreme Court | 5 | 3 | En banc |
| Illinois | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| IA | Appellate Court | 3 | 2 | Panel |
| Indiana | | | | |
| SC | Supreme Court | 5 | 3 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| Iowa | | | | |
| SC | Supreme Court | 1 | 1 | Single justice |
| Kansas | | | | |
| SC | Supreme Court | 7 | 3 | En banc |
| Kentucky | | | | |
| SC | Supreme Court | 4 | 4 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| Louisiana | | | | |
| SC | Supreme Court | 7 | 1 ⁵ | En banc |
| IA | Courts of Appeal | 3 | 2 | Panel |
| Maine | | | | |
| SC | Supreme Judicial Court | VA | VA | En banc and panel ⁶ |
| Maryland | | | | |
| SC | Court of Appeals | 7 | 3 | En banc |
| IA | Court of Special Appeals | VA | VA | Panel and single justice |

Table 24. Reviewing Discretionary Petitions

Legend: SC=Court of last resort; IA=Intermediate appellate court; VA=Varies; ~=Not applicable

Note: Only those courts with discretionary jurisdiction are included in this table.

| | | Number of judges | | Who makes decision on granting petitions? |
|-----------------------|--------------------------------|----------------------------------|---------------------------|---|
| | | Deciding whether to grant review | Necessary to grant review | |
| Massachusetts | | | | |
| SC | Supreme Judicial Court | 7 | 2 or 3 ⁷ | En banc |
| IA | Appeals Court | 1 | 1 | Single justice |
| Michigan | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| Minnesota | | | | |
| SC | Supreme Court | 7 | 3 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| Mississippi | | | | |
| SC | Supreme Court | VA | VA | En banc, panel, and single justice ⁸ |
| Missouri | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| Montana | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| Nebraska | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| New Hampshire | | | | |
| SC | Supreme Court | 5 | 1 | En banc ⁹ |
| New Jersey | | | | |
| SC | Supreme Court | 7 | 3 | En banc |
| IA | Superior Court, Appellate Div. | 2 | 2 ¹⁰ | Panel ¹⁰ |
| New Mexico | | | | |
| SC | Supreme Court | 5 | 2 | En banc |
| IA | Court of Appeals | 1 | 1 ¹¹ | Single justice ¹¹ |
| New York | | | | |
| SC | Court of Appeals | 7 (civil) | 2 (civil) | En banc and single justice ¹² |
| IA | Supreme Ct., Appellate Div. | 4 or 5 ¹³ | 3 | Panel |
| North Carolina | | | | |
| SC | Supreme Court | 7 | 3 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| North Dakota | | | | |
| SC | Supreme Court | 5 | 3 | En banc |
| Ohio | | | | |
| SC | Supreme Court | 7 | 4 | En banc |
| Oklahoma | | | | |
| SC | Supreme Court | 9 | 5 | En banc |
| SC | Court of Criminal Appeals | 5 | 3 | En banc |
| Oregon | | | | |
| SC | Supreme Court | 7 | 3 | En banc |
| Pennsylvania | | | | |
| SC | Supreme Court | 3 | 3 | En banc |
| IA | Superior Court | 3 | Majority | Panel |
| Puerto Rico | | | | |
| SC | Supreme Court | 4 | 4 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| Rhode Island | | | | |
| SC | Supreme Court | 5 | 2 | En banc |
| South Carolina | | | | |
| SC | Supreme Court | 5 | 2 | En banc |
| South Dakota | | | | |
| SC | Supreme Court | 5 | 3 | En banc |

Table 24. Reviewing Discretionary Petitions

Legend: SC=Court of last resort; IA=Intermediate appellate court; VA=Varies; ~/=Not applicable

Note: Only those courts with discretionary jurisdiction are included in this table.

| | | Number of judges | | Who makes decision on granting petitions? |
|----------------------|---------------------------|----------------------------------|---------------------------|---|
| | | Deciding whether to grant review | Necessary to grant review | |
| Tennessee | | | | |
| SC | Supreme Court | 5 | 2 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| IA | Court of Criminal Appeals | 3 | 2 | Panel |
| Texas | | | | |
| SC | Supreme Court | 9 | 4 | En banc |
| SC | Court of Criminal Appeals | 9 | 4 | En banc |
| Utah | | | | |
| SC | Supreme Court | 5 | 3 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel |
| Vermont | | | | |
| SC | Supreme Court | 5 | 3 | En banc |
| Virginia | | | | |
| SC | Supreme Court | 3 | 1 | Panel and single justice |
| IA | Court of Appeals | 4 | 1 | Panel and single justice |
| Washington | | | | |
| SC | Supreme Court | 5 | 5 | Panel and commissioner ¹⁴ |
| IA | Courts of Appeals | 1 ¹⁵ | 1 | Commissioner |
| West Virginia | | | | |
| SC | Supreme Court of Appeals | 5 | 3 | En banc |
| Wisconsin | | | | |
| SC | Supreme Court | 16 | 3-4 | En banc |
| IA | Court of Appeals | 3 | 2 | Panel and single justice ¹⁷ |
| Wyoming | | | | |
| SC | Supreme Court | 5 | 3 | En banc |

FOOTNOTES:

Alaska:
¹ A single justice or Court of Appeals judge makes a recommendation to the full court, which then votes en banc.

California:
² This is theoretically possible in habeas cases, but not done by single justices.

District of Columbia:
³ Usually one is necessary to grant review, two are necessary for interlocutory appeals only.

Hawaii:
⁴ Discretionary jurisdiction only applies if assigned by Supreme Court.

Louisiana:
⁵ Any one justice may issue order, however, four must concur to render judgment (LA Constitution, Art. 5, Sect. 2 & 3).

Maine:
⁶ The court sits in panel during sentence review cases only.

Massachusetts:
⁷ Direct appellate review may be granted by two justices of the Supreme Judicial Court or by a majority of justices of the appellate court. M.R.A.P. 11. Further appellate review may be granted by three justices of the Supreme Judicial Court or by a majority of the justices of the appeals court or by a majority of the justices of the appeals court deciding the case. M.R.A.P 27.1.

Mississippi:
⁸ The decision depends upon the emergency nature of the situation.

New Hampshire:
⁹ The court does not sit in panels to decide whether to grant review, but a case may be heard and decided by three-judge panel.

New Jersey:
¹⁰ Court of Appeals: This applies to interlocutory appeals only. The presiding judge of a panel makes the final determination as to whether a matter will be decided by two or three judges.

New Mexico:
¹¹ In Court of Appeals, for interlocutory appeals, one calendaring judge may grant review; to deny review, one judge must concur.

New York:
¹² Court of Appeals: A single judge grants review for criminal cases.
¹³ Appellate Divisions of Supreme Court: This varies by department.

Washington:
¹⁴ The decision is made by a panel in reviews from trial courts and by a commissioner in reviews from the Court of Appeals.
¹⁵ At the Court of Appeals a commissioner rules on a motion for discretionary review.

Wisconsin:
¹⁶ A commissioner makes a recommendation on review. If there is no objection during conference, the recommendation is accepted. If there is an objection to a petition for review, the court votes and three of the seven members must agree to grant review. If a justice who initially voted to grant review makes a motion to dismiss as improvidently granted, it is dismissed when at least four members agree to do so. Petitions to bypass and certification are granted by a vote of four.
¹⁷ Either a panel of three or one judge may make the decision to grant or deny discretionary petitions for leave to appeal, determined by case type and interpreted through statute.

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~=Not applicable

| | | <u>Types of expedited appeals</u> | <u>Types of expedited procedures</u> |
|-------------------|--|--|---|
| Alabama | | | |
| SC | Supreme Court | Extraordinary writs, original writs, attorney discipline, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and cases designated by statute as a priority | Special Calendars, advance queue, expedited briefing |
| IA | Court of Civil Appeals | Court discretion | Expedited briefing, submission on briefs, mediation |
| IA | Court of Criminal Appeals | Extraordinary writs and juvenile delinquency | Judge required to give case priority |
| Alaska | | | |
| SC | Supreme Court | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, election redistricting, domestic violence, guardianship of minors, juvenile cases, and judicial bypass of parental consent to abortion | Advance queue, expedited briefing, specialized briefing forms, scheduling conferences, special service requirements for redistricting cases |
| IA | Court of Appeals | Extradition and jury challenges | Advance queue, expedited briefing, specialized briefing forms |
| Arizona | | | |
| SC | Supreme Court | Minor abortions | Court discretion |
| IA | Court of Appeal, Division One | Extraordinary writs, workers' compensation, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, mental health appeals, appeals from juvenile court | Special calendars, expedited briefing, oral argument in lieu of briefs, submission on briefs |
| IA | Court of Appeal, Division Two | Extraordinary writs, workers' compensation, adoption, child placement, child in need of assistance, termination of parental rights, child custody, and mental health appeals | Pre-argument settlement conference, advance queue, expedited briefing, oral argument in lieu of briefs, submission on briefs |
| Arkansas | | | |
| SC | Supreme Court | Extraordinary writs and at court's discretion | Expedited briefing |
| IA | Court of Appeals | Extraordinary writs and at court's discretion | Expedited briefing |
| California | | | |
| SC | Supreme Court | Extraordinary writs, original writs, child placement, child in need of assistance, termination of parental rights, and child custody | Expedited briefing |
| IA | Courts of Appeal, 1 st District | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Expedited briefing, not allowing extensions of time on briefing |
| IA | Courts of Appeal, 2 nd District | Child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, election cases, and eminent domain | Special calendars, advance queue, expedited briefing |
| IA | Courts of Appeal, 3 rd District | Extraordinary writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, juvenile delinquency, guardianship, election disputes, and environmental cases | Advance queue, expedited briefing |
| IA | Courts of Appeal, 4 th District | Child placement, termination of parental rights, child custody, and at court's discretion | Special calendars, advance queue, expedited briefing, submission on briefs |
| IA | Courts of Appeal, 5 th District | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, contested elections, and cases with a party over 70 years of age | Special calendars, advance queue, expedited briefing |
| IA | Courts of Appeal, 6 th District | Extraordinary writs, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody | Advance queue, expedited briefing |
| Colorado | | | |
| SC | Supreme Court | Original writs, workers' compensation, child abuse and neglect, and termination of parental rights | Expedited briefing, submission on briefs |
| IA | Court of Appeals | Workers' compensation, child placement, child abuse and neglect, child in need of assistance, and termination of parental rights | Special calendars, pre-argument settlement conference, advance queue, expedited briefing |

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~=Not applicable

| | | <u>Types of expedited appeals</u> | <u>Types of expedited procedures</u> |
|-----------------------------|----------------------------------|--|---|
| Connecticut | | | |
| SC | Supreme Court | Extraordinary writs, child placement, child abuse and neglect, and child in need of assistance | Special calendars, advance queue, expedited briefing, submission on briefs, penalties for delay |
| IA | Appellate Court | Extraordinary writs, child placement, child abuse and neglect, and child in need of assistance | Special calendars, advance queue, expedited briefing, submission on briefs, penalties for delay |
| Delaware | | | |
| SC | Supreme Court | Chancery Court cases | Expedited briefing |
| District of Columbia | | | |
| SC | Court of Appeals | Adoptions, child placement, child abuse and neglect, termination of parental rights, child custody, utility/telephone rate matters, cases required by statute, and at the request of the parties | Pre-argument settlement conference, advance queue, expedited briefing, submission on briefs |
| Florida | | | |
| SC | Supreme Court | NR | NR |
| IA | First District Court of Appeal | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and at the court's discretion | Advance queue, expedited briefing |
| IA | Second District Court of Appeal | Adoption and termination of parental rights | Special calendars, expedited briefing, penalties for delay |
| IA | Third District Court of Appeal | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, termination of parental rights, and child custody | Special calendars, advance queue, expedited briefing, submission on briefs, penalties for delay |
| IA | Fourth District Court of Appeal | Adoption, child in need of assistance, termination of parental rights, and child custody | Special calendars, advance queue, expedited briefing |
| IA | Fifth District Court of Appeal | Termination of parental rights and dependency adjudications | Advance queue, expedited briefing |
| Georgia | | | |
| SC | Supreme Court | Election cases and when requested by parties | Expedited briefing, submission on briefs |
| IA | Court of Appeals | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, cases required by statute, and at the court's discretion | Judge required to give case priority |
| Hawaii | | | |
| SC | Supreme Court | Extraordinary writs, original writs, adoption, and termination of parental rights | Submission on briefs, penalties for delay, alternative dispute resolution |
| IA | Intermediate Court of Appeals | Extraordinary writs, original writs, adoption, and termination of parental rights | Submission on briefs, penalties for delay, alternative dispute resolution |
| Idaho | | | |
| SC | Supreme Court | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, termination of parental rights, child custody, death penalty, and petitions for rehearing and review | Advance queue, expedited briefing |
| IA | Court of Appeals | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and at request of parties | Advance queue, expedited briefing, submission on briefs |
| Illinois | | | |
| SC | Supreme Court | Court discretion | Expedited briefing |
| IA | First District Court of Appeals | Adoption, child placement, termination of parental rights, child custody, election matters, and at request of parties | Pre-argument settlement conference, advance queue, expedited briefing |
| IA | Second District Court of Appeals | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, certain interlocutory appeals, and temporary restraining orders | Advance queue, expedited briefing |
| IA | Third District Court of Appeals | Adoption, child placement, child abuse and neglect, termination of parental rights, and child custody | Special calendars, advance queue, expedited briefing, penalties for delay |

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~=Not applicable

| | | <u>Types of expedited appeals</u> | <u>Types of expedited procedures</u> |
|-----------------------------|----------------------------------|--|---|
| Illinois (continued) | | | |
| IA | Fourth District Court of Appeals | Adoption, child placement, child abuse and neglect, termination of parental rights, and child custody | Advance queue, expedited briefing, submission on briefs, penalties for delay |
| IA | Fifth District Court of Appeals | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue, expedited briefing |
| Indiana | | | |
| SC | Supreme Court | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and interlocutory appeals | Advance queue, expedited briefing |
| IA | Court of Appeals | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and interlocutory appeals | Advance queue, expedited briefing |
| IA | Tax Court | ~ | ~ |
| Iowa | | | |
| SC | Supreme Court | Attorney discipline, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue, expedited briefing, specialized briefing forms, submission on briefs, penalties for delay |
| IA | Court of Appeals | Child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and direct criminal appeals | Expedited briefing, specialized briefing forms, submission on briefs |
| Kansas | | | |
| SC | Supreme Court | Attorney discipline and other cases with statutory priority | Advance queue, expedited briefing, submission on the record without briefs |
| IA | Court of Appeals | Attorney discipline, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue, expedited briefing, submission on the record without briefs |
| Kentucky | | | |
| SC | Supreme Court | Extraordinary writs in death penalty cases, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue |
| IA | Court of Appeals | Extraordinary writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, domestic violence orders, paternity, and incarceration of juveniles | Pre-argument settlement conference, expedited briefing, reduced certification time, advancement on the docket |
| Louisiana | | | |
| SC | Supreme Court | Adoption, child abuse and neglect, child in need of assistance, child custody, and election cases | Advance queue, expedited briefing |
| IA | First Circuit Court of Appeals | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, election cases, and as required by statute | Pre-argument settlement conference, advance queue, expedited briefing, submission on briefs |
| IA | Second Circuit Court of Appeals | Extraordinary writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and as required by statute | Special calendars, advance queue, expedited briefing, submission on briefs |
| IA | Third Circuit Court of Appeals | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, public works cases, and election cases | Advance queue, expedited briefing |
| IA | Fourth Circuit Court of Appeals | Adoption, election cases, juvenile matters, bond forfeitures, and as required by statute | Expedited briefing |
| IA | Fifth Circuit Court of Appeals | Extraordinary writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Expedited briefing, submission on briefs, penalties for delay |
| Maine | | | |
| SC | Supreme Judicial Court | Termination of parental rights and at the court's discretion | Special calendars, expedited briefing |

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~=Not applicable

| | | <u>Types of expedited appeals</u> | <u>Types of expedited procedures</u> |
|-----------------------------|----------------------------|---|---|
| Maryland | | | |
| SC | Court of Appeals | Extraordinary writs and cases pending in lower courts | Advance queue, expedited briefing |
| IA | Court of Special Appeals | Adoption, child placement, child in need of assistance, termination of parental rights, child custody, injunctive relief, and certain criminal matters | Pre-argument settlement conference, advance queue, expedited briefing |
| Massachusetts | | | |
| SC | Supreme Judicial Court | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue, expedited briefing, specialized briefing forms, submission on briefs, electronic filing of records |
| IA | Appeals Court | Extraordinary writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue, expedited briefing, oral argument in lieu of briefs |
| Michigan | | | |
| SC | Supreme Court | Termination of parental rights, child custody, prosecutor appeals, and criminal interlocutory matters | Advance queue |
| IA | Court of Appeals | Adoption, child placement, child abuse and neglect, termination of parental rights, child custody, and criminal interlocutory matters | Special calendars, pre-argument settlement conference, advance queue, expedited briefing, specialized briefing forms, submission on briefs, electronic filing of records, penalties for delay |
| Minnesota | | | |
| SC | Supreme Court | Extraordinary writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue, expedited briefing |
| IA | Court of Appeals | Extraordinary writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and mental commitment | Advance queue, expedited briefing |
| Mississippi | | | |
| SC | Supreme Court | Child placement and child abuse and neglect | Special calendars |
| IA | Court of Appeals | ~ | ~ |
| Missouri¹ | | | |
| SC | Supreme Court | Child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and at court's discretion | Special calendars, expedited briefing, oral argument in lieu of briefs, submission on briefs |
| IA | Court of Appeals, Southern | Extraordinary writs, original writs, adoption, and termination of parental rights | Special calendars, expedited briefing |
| IA | Court of Appeals, Western | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Special calendars, expedited briefing |
| Montana | | | |
| SC | Supreme Court | Child abuse and neglect and termination of parental rights | Expedited briefing |
| Nebraska | | | |
| SC | Supreme Court | Original actions, workers' compensation, attorney discipline, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, criminal appeals, Tax Equalization and Review Commission appeals, and Department of Water Resources appeals | Advance queue |
| IA | Court of Appeals | Workers' compensation, attorney discipline, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, criminal appeals, Tax Equalization and Review Commission appeals, and Department of Water Resources appeals | Advance queue |
| Nevada | | | |
| SC | Supreme Court | Adoption, child placement, child in need of assistance, termination of parental rights, child custody, venue, injunctions, ballot questions, direct criminal appeals, and pretrial criminal appeals | Advance queue, expedited briefing, specialized briefing forms, submission on briefs, penalties for delay, pre-briefing settlement conference |

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~=Not applicable

| | | <u>Types of expedited appeals</u> | <u>Types of expedited procedures</u> |
|-----------------------|---|---|---|
| New Hampshire | | | |
| SC | Supreme Court | Extraordinary writs, original writs, attorney discipline, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and interlocutory appeals | Special calendars, pre-argument settlement conference, advance queue, expedited briefing, submission on briefs |
| New Jersey | | | |
| SC | Supreme Court | Adoption, child placement, child abuse and neglect, termination of parental rights, child custody, Megan's Law cases, and interlocutory appeals | Advance queue, expedited briefing |
| IA | Superior Court, Appellate Div. | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, interlocutory matters, and at the court's discretion | Special calendars, advance queue, expedited briefing, oral argument in lieu of briefs |
| New Mexico | | | |
| SC | Supreme Court | ~ | ~ |
| IA | Court of Appeals | Court's discretion | Special calendars, advance queue, expedited briefing, ruling from bench after oral argument, opinion filed within 24 hours |
| New York | | | |
| SC | Court of Appeals | Time-sensitive appeals and primary election cases | Special calendars, advance queue, expedited briefing, specialized briefing forms, oral argument in lieu of briefs, submission on briefs |
| IA | Supreme Ct., Appellate Div. 1 st | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and at the request of parties | Pre-argument settlement conference, expedited briefing, submission on briefs |
| IA | Supreme Ct., Appellate Div. 2 nd | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, election appeals, excessive sentence appeals, and at court's discretion | Advance queue, expedited briefing, specialized briefing forms, active case management |
| IA | Supreme Ct., Appellate Div. 3 rd | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and election appeals | Special calendars, pre-argument settlement conference, advance queue, expedited briefing |
| IA | Supreme Ct., Appellate Div. 4 th | Original writs, adoption, child placement, child abuse and neglect, termination of parental rights, and child custody | Expedited briefing, submission on briefs |
| North Carolina | | | |
| SC | Supreme Court | Extraordinary writs, election cases, and time sensitive appeals | Special calendars, advance queue, expedited briefing, submission on briefs, electronic filing of records |
| IA | Court of Appeals | ~ | ~ |
| North Dakota | | | |
| SC | Supreme Court | Mental health | Advance queue, expedited briefing, submission on briefs |
| Ohio | | | |
| SC | Supreme Court | Adoption, termination of parental rights, and original writs in election cases if within 90 days of the next election | Special calendars, advance queue, expedited briefing |
| IA | Court of Appeals, 1 st District | Extraordinary writs, adoption, termination of parental rights, and abortion without parental consent | Advance queue, expedited briefing, submission on briefs, electronic filing of records |
| IA | Court of Appeals, 2 nd District | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, abortion without parental consent, unruly or delinquent child, state appeals in criminal cases, local fiscal emergency cases, election contests, and at the court's discretion | Advance queue, expedited briefing and argument, limited filing extensions |

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~ =Not applicable

| | Types of expedited appeals | Types of expedited procedures |
|--|---|--|
| Ohio (continued) | | |
| IA Court of Appeals, 3 rd District | Extraordinary writs, original writs, adoption, and termination of parental rights | Special calendars, advance queue, expedited briefing |
| IA Court of Appeals, 4 th District | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and at court's discretion | Special calendars, pre-argument settlement conference, expedited briefing, submission on briefs, penalties for delay |
| IA Court of Appeals, 5 th District | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Advance queue, expedited briefing, submission on briefs |
| IA Court of Appeals, 6 th District | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, juvenile delinquency, and state appeals | Expedited briefing, submission on briefs |
| IA Court of Appeals, 7 th District | Extraordinary writs, adoption, and termination of parental rights | Advance queue, expedited briefing |
| IA Court of Appeals, 8 th District | Extraordinary writs and termination of parental rights | Special calendars, pre-argument settlement conference, advance queue, expedited briefing, specialized briefing forms, submission on briefs |
| IA Court of Appeals, 9 th District | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, abortion appeals from orders requiring parental consent | Advance queue, expedited briefing, submission on briefs |
| IA Court of Appeals, 10 th District | Extraordinary writs, adoption, child placement, termination of parental rights, and juvenile abortion by-pass cases | Pre-argument settlement conferences, advance queue, expedited briefing, submission on briefs |
| IA Court of Appeals, 11 th District | Adoption and termination of parental rights | Special calendars |
| IA Court of Appeals, 12 th District | Adoption, child placement, child abuse and neglect, termination of parental rights, and child custody | Special calendars, pre-argument settlement conference, expedited briefing, submission on briefs |
| Oklahoma | | |
| SC Supreme Court | Extraordinary writs, workers' compensation, termination of parental rights, child custody, and driver's license revocation | Pre-argument settlement conference, advance queue, expedited briefing, submissions on briefs |
| SC Court of Criminal Appeals | Extraordinary writs and death penalty | Advance queue, expedited briefing |
| IA Court of Civil Appeals | ~ | ~ |
| Oregon | | |
| SC Supreme Court | Death penalty, judicial review of corrections facility, and administrative agency reviews | Special calendars, pre-argument settlement conference, advance queue, expedited briefing, submission on briefs |
| IA Court of Appeals | Executive orders, LUBA orders, juvenile proceedings, judicial review of correctional facility, violation of ORS 433.735 (mass gatherings), utility cases, and workers' compensation | Special calendars, pre-argument settlement conference, advance queue, expedited briefing, submission on briefs |
| Pennsylvania | | |
| SC Supreme Court | Extraordinary writs, original writs, workers' compensation, attorney discipline, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and child custody | Special calendars, advance queue, expedited briefing, submission on briefs |
| IA Superior Court | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, and child support | Advance queue, expedited briefing |
| IA Commonwealth Court | Election appeals | Advance queue; expedited briefing, argument, and disposition |

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~/=Not applicable

| | | <u>Types of expedited appeals</u> | <u>Types of expedited procedures</u> |
|-------------------------------|---------------------------------|--|---|
| Puerto Rico | | | |
| SC | Supreme Court | Extraordinary writs, original writs, child abuse and neglect, child in need of assistance, child custody, and at court's discretion | Special calendars, advance queue, expedited briefing, submission on briefs, penalties for delay |
| IA | Court of Appeals | Extraordinary writs, original writs, child abuse and neglect, child in need of assistance, child custody, and at court's discretion | Special calendars, advance queue, expedited briefing, submission on briefs, penalties for delay |
| Rhode Island | | | |
| SC | Supreme Court | Adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody, criminal matters, at request of parties, and at court's discretion | Expedited briefing, mediation, pre-briefing conferences |
| South Carolina | | | |
| SC | Supreme Court | Court discretion | Expedited briefing, submission on briefs |
| IA | Court of Appeals | Extraordinary writs and at request of parties | Special calendars, advance queue, expedited briefing, submission on briefs, procedures for emergency motions |
| South Dakota | | | |
| SC | Supreme Court | Child abuse and neglect | Expedited briefing |
| Tennessee | | | |
| SC | Supreme Court | Worker's compensation and at court's discretion | Advance queue |
| IA | Court of Appeals | Termination of parental rights and at court's discretion | Advance queue, expedited briefing |
| IA | Court of Criminal Appeals | Court discretion | Advance queue, expedited briefing |
| Texas | | | |
| SC | Supreme Court | Extraordinary writs, original writs, termination of parental rights, and parental notification for abortion | Special calendars, expedited briefing, reduced extensions, dedicated staff attorneys |
| SC | Court of Criminal Appeals | Extraordinary writs and original writs | Expedited briefing, submission on briefs |
| IA | Courts of Appeals | Original writs, extraordinary writs, interlocutory appeals, termination of parental rights, parental notification of abortion, and some other family law matters | May include advance queue, expedited briefing, submission on briefs, special calendars |
| Utah | | | |
| SC | Supreme Court | Court discretion | Advance queue, expedited briefing |
| IA | Court of Appeals | Court discretion | Pre-argument settlement conference, advance queue, expedited briefing, specialized briefing forms |
| Vermont | | | |
| SC | Supreme Court | Extraordinary writs, child abuse and neglect, and termination of parental rights | Advance queue, expedited briefing, submission on briefs |
| Virginia | | | |
| SC | Supreme Court | Court discretion | Advance queue, expedited briefing |
| IA | Court of Appeals | Extraordinary writs, original writs, workers' compensation, termination of parental rights, criminal appeals, pre-trial appeals by the Commonwealth | Advance queue, expedited briefing |
| Washington² | | | |
| SC | Supreme Court | Court discretion | Expedited briefing, submission on briefs, electronic filing of records, penalties for delay, special settings |
| IA | Courts of Appeals, Division One | Extraordinary writs, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, child custody | Special calendars, advance queue, expedited briefing, penalties for delay |
| West Virginia | | | |
| SC | Supreme Court of Appeals | Extraordinary writs, adoption, child placement, child abuse and neglect, termination of parental rights, and at request of parties | Advance queue, expedited briefing, submission on briefs |

Table 25. Expediting Procedures in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; ~=Not applicable

| | | <u>Types of expedited appeals</u> | <u>Types of expedited procedures</u> |
|------------------|------------------|---|--|
| Wisconsin | | | |
| SC | Supreme Court | ~ | ~ |
| IA | Court of Appeals | Court discretion | Advance queue, expedited briefing, mediation |
| Wyoming | | | |
| SC | Supreme Court | Extraordinary writs, original writs, adoption, child placement, child abuse and neglect, child in need of assistance, termination of parental rights, and ballot issues | Expedited briefing, submission on briefs |

FOOTNOTES:

Missouri:

¹ The Court of Appeals, Eastern District is not included as that court did not respond.

Washington:

² The Court of Appeal, Division Two and Court of Appeal, Division Three are not included as those courts did not respond.

Table 26. Limitations on Oral Arguments in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ■=Yes

| | Time limit (each side in minutes) | Must formally request oral argument | Argument is automatically scheduled for: | | | | |
|---|---|---|--|------------------------------|----------------|------------------------|----------------|
| | | | All cases | Granted writ applications | All appeals | Depends on the case | Other |
| Alabama | | | | | | | |
| SC Supreme Court | 30 | ■ | | | | | |
| IA Court of Civil Appeals | 30 | ■ | | | | | |
| IA Court of Criminal Appeals | 30 | ■ | | | | | |
| Alaska | | | | | | | |
| SC Supreme Court | 15 | ■ | | | | | ■ ¹ |
| IA Court of Appeals | 15 | ■ | | | | | |
| Arizona | | | | | | | |
| SC Supreme Court | 20 | ■ | | | | | ■ ² |
| IA Court of Appeal, Division One | 20 | ■ | | | | | |
| IA Court of Appeal, Division Two | 25 | ■ | | | | | |
| Arkansas | | | | | | | |
| SC Supreme Court | 20 | ■ | | | | | |
| IA Court of Appeals | 20 | ■ | | | | | |
| California | | | | | | | |
| SC Supreme Court | 30 ³ | | ■ | | | | |
| IA Courts of Appeal, 1 st District | 30 | ■ | | | | | |
| IA Courts of Appeal, 2 nd District | 30 | | | ■ | | | |
| IA Courts of Appeal, 3 rd District | 15 | | ■ | | ■ | | |
| IA Courts of Appeal, 4 th District | 15 | ■ | | | | | |
| IA Courts of Appeal, 5 th District | 30 | | | | | | ■ |
| IA Courts of Appeal, 6 th District | 30 | ■ | | | | | |
| Colorado | | | | | | | |
| SC Supreme Court | 15 or 30 ⁴ | ■ | | | | | |
| IA Court of Appeals | 15 | ■ | | | | | |
| Connecticut | | | | | | | |
| SC Supreme Court | 30 | | | | | | ■ |
| IA Appellate Court | 20 | | | | | | ■ |
| Delaware | | | | | | | |
| SC Supreme Court | 20 or 25 ⁵ | | | | | | ■ |
| District of Columbia | | | | | | | |
| SC Court of Appeals | 15, 30, or 45 ⁶ | | | | | | ■ |
| Florida | | | | | | | |
| SC Supreme Court | NR | NR | NR | NR | NR | NR | NR |
| IA First District Court of Appeal | 20 ⁷ | ■ | | | | | |
| IA Second District Court of Appeal | 20 | ■ | | | | | |
| IA Third District Court of Appeal | 10, 15, or 20 | ■ | | | | | |
| IA Fourth District Court of Appeal | 10, 15, or 20 | ■ | | | | | |
| IA Fifth District Court of Appeal | 15 (criminal), 20 (civil) | ■ | | | | | |
| Georgia | | | | | | | |
| SC Supreme Court | 20 ⁸ | ■ | | | | | ■ ⁹ |
| IA Court of Appeals | 15 | ■ | | | | | |
| Hawaii | | | | | | | |
| SC Supreme Court | 30 | N/S | N/S | N/S | N/S | N/S | N/S |
| IA Intermediate Court of Appeals | 30 | N/S | N/S | N/S | N/S | N/S | N/S |
| Idaho | | | | | | | |
| SC Supreme Court | 30 | | | | | | ■ |
| IA Court of Appeals | 30 | | | | | | ■ |
| Illinois | | | | | | | |
| SC Supreme Court | 20 ¹⁰ | ■ | | | | | |
| IA First District Court of Appeals | 20 | ■ | | | | | |
| IA Second District Court of Appeals | 15 | ■ | | | | | |
| IA Third District Court of Appeals | 15 | ■ | | | | | |
| IA Fourth District Court of Appeals | 20 | ■ | | | | | |
| IA Fifth District Court of Appeals | 10 (criminal), 20 (civil) | ■ | | | | | |
| Indiana | | | | | | | |
| SC Supreme Court | 30 | ■ | | | | | |
| IA Court of Appeals | 30 | ■ | | | | | |
| IA Tax Court | N/S | | | | | | ■ |

Table 26. Limitations on Oral Arguments in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ■=Yes

| | Time limit (each side in minutes) | Must formally request oral argument | Argument is automatically scheduled for: | | | | |
|--|---|---|--|------------------------------|----------------|------------------------|-------|
| | | | All cases | Granted writ applications | All appeals | Depends on the case | Other |
| Iowa | | | | | | | |
| SC Supreme Court | 10 | ■ | | | | | |
| IA Court of Appeals | 10 | ■ | | | | | |
| Kansas | | | | | | | |
| SC Supreme Court | 15 | | | | | ■ | |
| IA Court of Appeals | 15 | | | | | ■ | |
| Kentucky | | | | | | | |
| SC Supreme Court | 15 ¹¹ | ■ | | | | | |
| IA Court of Appeals | 15 | | | | | ■ | |
| Louisiana | | | | | | | |
| SC Supreme Court | 20-40 ¹² | | | ■ | ■ | | |
| IA First Circuit Court of Appeals | 20 | ■ | | ■ | | | |
| IA Second Circuit Court of Appeals | 20 | ■ | | | | | |
| IA Third Circuit Court of Appeals | 20 | ■ | | | | | |
| IA Fourth Circuit Court of Appeals | 20 | ■ | | | | | |
| IA Fifth Circuit Court of Appeals | 15 | ■ | | | | ■ ¹³ | |
| Maine | | | | | | | |
| SC Supreme Judicial Court | 20 | | | | | ■ | |
| Maryland | | | | | | | |
| SC Court of Appeals | 30 | | | ■ | | ■ | |
| IA Court of Special Appeals | 30 | | ■ | | | | |
| Massachusetts | | | | | | | |
| SC Supreme Judicial Court | 15 ¹⁴ | | | | | ■ | |
| IA Appeals Court | 15 ¹⁴ | | | | | ■ | |
| Michigan | | | | | | | |
| SC Supreme Court | 30 ¹⁵ | | ■ | | | | |
| IA Court of Appeals | 30 ¹⁵ | ■ | | | | | |
| Minnesota | | | | | | | |
| SC Supreme Court | 30 (appel.), 25 (resp.) | ■ | | | | ■ | |
| IA Court of Appeals | 30 (appel.), 20 (resp.) | ■ | | | | ■ | |
| Mississippi | | | | | | | |
| SC Supreme Court | 20-30 | ■ | | | | ■ ¹⁶ | |
| IA Court of Appeals | 20 | ■ | | | | | |
| Missouri¹⁷ | | | | | | | |
| SC Supreme Court | 15 ¹⁸ | | ■ | | | | |
| IA Court of Appeals, Southern | 20 (appel.), 15 (resp.) | ■ | | | | | |
| IA Court of Appeals, Western | 10 or 15 | | | | | ■ | |
| Montana | | | | | | | |
| SC Supreme Court | 40 (appel.), 30 (resp.) | | | | | ■ | |
| Nebraska | | | | | | | |
| SC Supreme Court | 10 | | | | | ■ | |
| IA Court of Appeals | 10 | | ■ | | | | |
| Nevada | | | | | | | |
| SC Supreme Court | 15 | ■ | | | | | |
| New Hampshire | | | | | | | |
| SC Supreme Court | 15 | | | | | ■ | |
| New Jersey | | | | | | | |
| SC Supreme Court | 30 | | | ■ | | ■ ¹⁹ | |
| IA Superior Court, Appellate Div. | 30 | ■ | | | | | |
| New Mexico | | | | | | | |
| SC Supreme Court | 30 ²⁰ | ■ | | | | | |
| IA Court of Appeals | 30 | ■ | | | | ■ ²¹ | |
| New York | | | | | | | |
| SC Court of Appeals | Court discretion | ■ | | | | | |
| IA Supreme Ct., Appellate Div. 1 st | Court discretion | ■ | | | | | |
| IA Supreme Ct., Appellate Div. 2 nd | 15 or 30 ²² | ■ | | | | | |
| IA Supreme Ct., Appellate Div. 3 rd | 10 | ■ | | | | | |
| IA Supreme Ct., Appellate Div. 4 th | 30 | ■ | | | | | |

Table 26. Limitations on Oral Arguments in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ■=Yes

| | Time limit (each side in minutes) | Must formally request oral argument | Argument is automatically scheduled for: | | | | |
|--|---|---|--|------------------------------|-----------------|------------------------|-------|
| | | | All cases | Granted writ applications | All appeals | Depends on the case | Other |
| North Carolina | | | | | | | |
| SC Supreme Court | 30 | | | | ■ | | |
| IA Court of Appeals | 30 | | | | | ■ | |
| North Dakota | | | | | | | |
| SC Supreme Court | 30 (appel.), 20 (resp.) | | ■ | | | | |
| Ohio | | | | | | | |
| SC Supreme Court | 15 ²³ | | | | | ■ | |
| IA Court of Appeals, 1 st District | 15 | | | ■ | | | |
| IA Court of Appeals, 2 nd District | 15 | ■ | | | | | |
| IA Court of Appeals, 3 rd District | 15 | ■ | | | | | |
| IA Court of Appeals, 4 th District | 15 | ■ | | | | | |
| IA Court of Appeals, 5 th District | 30 | | | ■ | | | |
| IA Court of Appeals, 6 th District | 15 | | | | | ■ | |
| IA Court of Appeals, 7 th District | 15 | ■ | | | | | |
| IA Court of Appeals, 8 th District | 15 | | | ■ | | | |
| IA Court of Appeals, 9 th District | 15 | | | ■ | | | |
| IA Court of Appeals, 10 th District | 15 | | | ■ | | | |
| IA Court of Appeals, 11 th District | 15 | | | | | ■ | |
| IA Court of Appeals, 12 th District | 15 | ■ | | | | | |
| Oklahoma | | | | | | | |
| SC Supreme Court | 20 | ■ | | | | | |
| SC Court of Criminal Appeals | Court discretion | | | | | ■ | |
| IA Court of Civil Appeals | 20 | ■ | | | | | |
| Oregon | | | | | | | |
| SC Supreme Court | 15 or 30 | | | | | ■ | |
| IA Court of Appeals | 15 or 30 | | | | | ■ | |
| Pennsylvania | | | | | | | |
| SC Supreme Court | Court discretion | | | | | ■ | |
| IA Superior Court | 15 | ■ | | | | | |
| IA Commonwealth Court | 10 or 15 ²⁴ | | | | | ■ | |
| Puerto Rico | | | | | | | |
| SC Supreme Court | Court discretion | ■ | | | | | |
| IA Court of Appeals | Court discretion | ■ | | | | | |
| Rhode Island | | | | | | | |
| SC Supreme Court | 10 or 30 ²⁵ | | | | | ■ | |
| South Carolina | | | | | | | |
| SC Supreme Court | Court discretion | N/S | | | | | |
| IA Court of Appeals | 10-30 | | | | | ■ | |
| South Dakota | | | | | | | |
| SC Supreme Court | 20 | | | | | ■ | |
| Tennessee | | | | | | | |
| SC Supreme Court | 30 | ■ | | | | | |
| IA Court of Appeals | 15 | ■ | | | | | |
| IA Court of Criminal Appeals | 15 | ■ | | | | | |
| Texas | | | | | | | |
| SC Supreme Court | 20 | | | | | ■ ²⁶ | |
| SC Court of Criminal Appeals | 20 | | | | | ■ | |
| IA Courts of Appeals | 15-30 ²⁷ | ■ | | | | | |
| Utah | | | | | | | |
| SC Supreme Court | 20 | | ■ | | | | |
| IA Court of Appeals | 15 | | | | | ■ | |
| Vermont | | | | | | | |
| SC Supreme Court | 5 or 15 | ■ | | | | | |
| Virginia | | | | | | | |
| SC Supreme Court | Varies | | | ■ | ■ ³⁰ | | |
| IA Court of Appeals | 10 or 15 ²⁸ | ■ ²⁹ | | | ■ | | |

Table 26. Limitations on Oral Arguments in Appellate Courts

Legend: SC=Court of last resort; IA=Intermediate appellate court; NR=No response; N/S=Not stated; ■=Yes

| | Time limit (each side in minutes) | Must formally request oral argument | Argument is automatically scheduled for: | | | | |
|------------------------------------|---|---|--|------------------------------|----------------|------------------------|-------|
| | | | All cases | Granted writ applications | All appeals | Depends on the case | Other |
| Washington ³¹ | | | | | | | |
| SC Supreme Court | 20 | | | | | ■ | |
| IA Courts of Appeals, Division One | 10 | | | | | ■ | |
| West Virginia | | | | | | | |
| SC Supreme Court of Appeals | 30 | ■ | | | | ■ | |
| Wisconsin | | | | | | | |
| SC Supreme Court | 30 | | | | | ■ | |
| IA Court of Appeals | 30 | | | | | ■ | |
| Wyoming | | | | | | | |
| SC Supreme Court | 30 | | | | | ■ | |

FOOTNOTES:

Alaska:
¹ The Supreme Court automatically schedules oral argument for election redistricting cases and judicial bypass of parental consent to abortion.

Arizona:
² The Supreme Court automatically schedules oral argument for death penalty cases.

California:
³ The Supreme Court time limit for oral argument in death penalty cases is 45 minutes.

Colorado:
⁴ The time limit for oral argument in the Supreme Court depends on the number and/or complexity of the issues in the case.

Delaware:
⁵ The time limit for oral argument in the Supreme Court is 20 minutes per side if the court is in panel and 25 minutes per side if the court is sitting en banc.

District of Columbia:
⁶ The time limit for oral argument in the Supreme Court is 15 minutes for cases on the summary calendar, but oral argument must be requested; the time limit is 30 minutes for cases on the regular calendar; and 45 minutes for cases heard en banc.

Florida:
⁷ The First District Court of Appeal time limit for oral argument in death penalty cases is 30 minutes.

Georgia:
⁸ The Supreme Court time limit for oral argument in domestic relations cases is 10 minutes; the time limit for oral argument in death penalty cases is 30 minutes.
⁹ The Supreme Court automatically schedules oral argument for death penalty cases and for granted writs of certiorari.

Illinois:
¹⁰ The Supreme Court time limit for death penalty cases is 30 minutes.

Kentucky:
¹¹ The Supreme Court time limit for oral argument in death penalty cases is 30 minutes.

Louisiana:
¹² The Supreme Court time limit for oral argument varies by case type: attorney discipline and criminal cases have 20 minutes, judicial discipline and civil cases have 30 minutes, and death penalty cases have 40 minutes.
¹³ The Fourth Circuit Court of Appeals automatically schedules oral argument for election cases.

Massachusetts:
¹⁴ The time limit for oral argument is 20 minutes for first-degree murder.

Michigan:
¹⁵ The time limit for oral argument is 15 minutes for cases in which only one side appears and for cases argued on application for leave to appeal.

Mississippi:
¹⁶ The Supreme Court automatically schedules oral argument for death penalty cases.

Missouri:
¹⁷ The Court of Appeals, Eastern District is not included as that court did not respond.
¹⁸ The Supreme Court time limit for oral argument in death penalty cases is 20 minutes.

New Jersey:
¹⁹ The Supreme Court automatically schedules oral argument for some appeals as of right and for disciplinary matters.

New Mexico:
²⁰ The Supreme Court time limit for oral argument is 20 minutes for writs, attorney discipline, and judicial discipline.
²¹ The Court of Appeals automatically schedules oral argument for expedited bench decision cases.

New York:
²² The Appellate Division, 2nd Department time limit for oral argument is 15 minutes for cases in which there was no trial or hearing and 30 minutes for appeals in which there was a trial or hearing.

Ohio:
²³ The Supreme Court time limit for oral argument in death penalty cases is 30 minutes.

Pennsylvania:
²⁴ The Commonwealth Court time limit for oral argument is 7.5 – 10 minutes if court sits in panels and 15 minutes if court sits en banc.

Rhode Island:
²⁵ The Supreme Court time limit for oral argument is 30 minutes for plenary matters and 10 minutes for summary matters.

Texas:
²⁶ The Supreme Court generally schedules oral argument in most cases where a petition for review is granted and some mandamus cases.
²⁷ The time limit for oral argument varies by court.

Virginia:
²⁸ The time limit for oral argument is 10 minutes for appellant in criminal petition cases, 15 minutes on merit appeals.
²⁹ Oral argument must be formally requested on criminal petition cases.
³⁰ Oral argument is automatically scheduled unless the case was summarily affirmed or defaulted or oral argument was waived.

Washington:
³¹ The Court of Appeals, Division Two and Court of Appeals, Division Three are not included as those courts did not respond.

Table 27. Type of Court Hearing Administrative Agency Appeals

Legend: SC=Court of last resort; IA=Intermediate appellate court; GJ=General jurisdiction court; LJ=Limited jurisdiction court; ~ =Not applicable

| | Medical malpractice | Workers' compensation | Public service | Unemployment insurance | Public welfare | Insurance | Tax review | Other agencies |
|------------------------|---------------------|-----------------------|---------------------|------------------------|---------------------|---------------------|----------------------|---------------------|
| Alabama | ~ | ~ | GJ | GJ | ~ | GJ | GJ | GJ |
| Alaska | ~ | SC | GJ-SC | GJ-SC | GJ-SC | GJ-SC | GJ-SC | GJ-SC |
| Arizona | ~ | GJ-IA-SC | GJ | IA | GJ | GJ | GJ | GJ |
| Arkansas | ~ | IA | IA | IA | ~ | ~ | ~ | GJ |
| California | GJ | IA | IA-SC | GJ | GJ | GJ | GJ | GJ |
| Colorado | ~ | IA | SC | IA | IA | GJ | IA | ~ |
| Connecticut | ~ | IA | GJ | GJ | GJ | GJ | GJ | ~ |
| Delaware | GJ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| District of Columbia | SC | SC | SC | SC | SC | GJ | GJ | SC ¹ -GJ |
| Florida | ~ ² | IA | IA-SC | IA | IA ³ | IA | IA | IA |
| Georgia ⁴ | GJ ⁵ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| Hawaii | SC ⁶ | SC ⁶ | SC ⁶ | GJ-SC ⁶ | GJ | GJ | ~ ⁷ | SC ⁶ |
| Idaho | ~ ⁸ | SC | SC | SC | GJ | GJ | GJ | GJ |
| Illinois | ~ | IA | IA | GJ | GJ | GJ | GJ | IA |
| Indiana | GJ | IA | IA | IA | ~ | ~ | IA ⁹ | GJ |
| Iowa | ~ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| Kansas | GJ | IA | GJ ¹⁰ | GJ | GJ | GJ | GJ-IA | GJ-SC |
| Kentucky | ~ | IA | GJ | GJ | GJ | GJ | GJ | GJ |
| Louisiana | GJ | IA | GJ-SC | GJ | ~ | GJ | GJ | GJ-IA |
| Maine | ~ | SC | SC | GJ | GJ | GJ | GJ | GJ |
| Maryland | GJ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| Massachusetts | ~ | IA-SC | GJ | GJ | GJ | GJ | GJ | GJ |
| Michigan | ~ | LJ | LJ | LJ | LJ | LJ | LJ | LJ |
| Minnesota | ~ | SC | IA | IA | ~ | ~ | SC | ~ |
| Mississippi | GJ | GJ | SC | GJ | GJ | GJ | GJ | GJ |
| Missouri | ~ | GJ-IA | GJ | IA | GJ | GJ | IA ¹¹ | GJ |
| Montana | GJ | GJ | GJ | ~ | ~ | ~ | GJ | GJ |
| Nebraska | ~ | IA | IA | IA | IA | ~ | IA | IA |
| Nevada | ~ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| New Hampshire | ~ | SC | SC | SC | ~ ¹² | SC | SC | SC |
| New Jersey | ~ | IA ¹³ | IA ¹³ | IA ¹³ | IA ¹³ | IA ¹³ | IA ^{13, 14} | IA ¹³ |
| New Mexico | ~ | IA | SC | IA | IA | IA | IA | IA |
| New York ¹⁵ | ~ | IA | IA | IA | GJ | IA | GJ-IA | GJ-IA |
| North Carolina | ~ | IA | IA | GJ | IA | IA | IA | ~ ¹⁶ |
| North Dakota | ~ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| Ohio | ~ | IA-SC | IA-SC | GJ | ~ | ~ | IA-SC | ~ |
| Oklahoma | ~ | ~ ¹⁷ | GJ or IA-SC | GJ or IA-SC | ~ | GJ-SC | IA-SC | ~ |
| Oregon | IA | IA | IA | IA | IA | IA | SC | IA |
| Pennsylvania | SC or IA | SC or IA | SC or IA | SC or IA | SC or IA | SC or IA | SC or IA | SC or IA |
| Puerto Rico | IA | IA | IA | IA | IA | IA | IA | IA |
| Rhode Island | ~ | SC | SC | LJ | IA | GJ | LJ | GJ |
| South Carolina | ~ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| South Dakota | ~ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| Tennessee | ¹⁸ | GJ | IA | GJ | GJ | GJ | GJ | GJ |
| Texas | GJ | GJ or LJ | GJ or LJ | GJ or LJ | ~ | GJ | GJ | GJ |
| Utah | GJ | IA | SC | IA | GJ | GJ | GJ-SC | GJ-IA-SC |
| Vermont | GJ | SC | SC | SC | GJ | GJ | SC | SC |
| Virginia | GJ | IA | GJ | GJ | GJ | SC | GJ | GJ or LJ |
| Washington | ~ | GJ-IA ¹⁹ | GJ-IA ¹⁹ | GJ-IA ¹⁹ | GJ-IA ¹⁹ | GJ-IA ¹⁹ | GJ-IA ¹⁹ | GJ-IA ¹⁹ |
| West Virginia | ~ | SC | GJ | GJ | ~ | ~ | GJ | GJ |
| Wisconsin | ~ ²⁰ | GJ | GJ | GJ | GJ | GJ | GJ | GJ |
| Wyoming | ~ ²¹ | GJ ²² | GJ ²² | GJ ²² | ~ | GJ ²² | GJ ²² | ~ |

Table 27. Type of Court Hearing Administrative Agency Appeals**FOOTNOTES:****District of Columbia:**

¹ The court of last resort hears appeals, if the agency provided a trial-type hearing in a contested case; otherwise the general jurisdiction court will hear the appeal.

Florida:

² Actions concerning medical licensing disciplinary proceedings by the Department of Professional Regulation are appealed to the intermediate appellate court.

³ Final agency actions regarding recovery of overpayments of welfare fraud appeals are heard by the intermediate appellate court.

Georgia:

⁴ If the case is brought by discretionary application such as workers' compensation or unemployment insurance, any one of three judges on the division may grant the application. On a direct appeal, a dissent of one judge on the panel causes the case to be reviewed by that division, the next division in succession, and a seventh judge. If the majority of the panel, or a majority of the seven-judge court, determines the case should be heard by all 10 judges, then the case will be reviewed by all 10 judges.

⁵ These cases are tried in general jurisdiction court or as an alternative process with appeal in a general jurisdiction court.

Hawaii:

⁶ The court of last resort may transfer a case to the intermediate appellate court.

⁷ Cases are heard by a Tax Appeal Court (a specialized court) presided over by a Circuit Court judge.

Idaho:

⁸ Cases are initially brought to a medical malpractice hearing panel (conclusions are not binding); a case may be filed in the District Court (general jurisdiction).

Indiana:

⁹ The cases are heard in Tax Court (intermediate appellate court).

Kansas:

¹⁰ Rate cases go to the intermediate appellate court.

Missouri:

¹¹ Tax review cases may be transferred to the Supreme Court.

New Hampshire:

¹² Petition for writ of certiorari must be filed to the Superior or Supreme Court (concurrent jurisdiction).

New Jersey:

¹³ The court of last resort may, on its own motion, certify any action or class of actions for appeal, or the litigant may move for certification of an appeal pending in the appellate division.

¹⁴ Appeals from county boards of taxation are heard by the Tax Court (limited jurisdiction).

New York:

¹⁵ Appeals of final decisions of all administrative agencies go to either the Supreme Court or the Appellate Division of the Supreme Court in Article 78 proceedings.

North Carolina:

¹⁶ Cases go to Superior Court; some to the intermediate appellate court; the court of last resort hears general rate cases from the Utilities Commission.

Oklahoma:

¹⁷ These cases go to Workers' Compensation Court (limited jurisdiction).

Tennessee:

¹⁸ Cases are heard by the Chancery Court of Davidson County (general jurisdiction).

Washington:

¹⁹ Most administrative agency rulings are appealed first to the Superior Court (general jurisdiction) and then to the intermediate appellate court. Only cases meeting specific statutory criteria are reviewed by the intermediate appellate court directly from the administrative ruling.

Wisconsin:

²⁰ Cases are taken to the Circuit Court (general jurisdiction) and are required to go through a medical mediation panel, organized through the administrative office of the courts.

Wyoming:

²¹ Medical malpractice tribunals have been eliminated.

²² District Courts may hear appeals or certify directly to the court of last resort.

Part V: Trial Courts: Administration, Specialized Jurisdiction, and Procedures

Perhaps the most fundamental feature of state trial court systems is the distribution of subject matter jurisdiction. The pattern followed in each state and the differences among states are most readily identified by means of the court structure charts found in Part VIII.

Trial court administration generally involves judges with managerial responsibility (presiding, chief, or administrative judges of the court or of divisions within the court), clerks of court, and trial court administrators. A chief or presiding judge generally serves as an executive overseer who ensures that court policy is implemented. Their method of selection and terms of office are described in Table 6, whereas Table 28 highlights their specific responsibilities across nine areas. This is a substantially enhanced coverage of the role of the administrative judge from that provided in 1998.

The vital administrative tasks of a clerk of court are typically the responsibility of an elected or appointed official. The method of selection may vary among the general jurisdiction courts of the individual states. Court administrators, by contrast, are not elected officials and are most often appointed by the chief or presiding judge. Table 29 reports the number of clerks and administrators serving each court system in a state and their method of selection.

A clerk of court typically has responsibility for docketing cases, collecting court fees, overseeing jury selection, and maintaining all court records. While clerks of court are traditional positions in almost all state court systems, trial court administrators are more recent participants in the management of court operations. They are responsible for the non-judicial aspects of court administration including staffing, budgets, efficient caseload processing, etc. In some trial court systems, the same official is both the administrator and the clerk. Information on the specific responsibilities in ten functional areas of both clerks of court and trial court administrators can be found in Table 30.

Problem solving courts have emerged in most states over the past several years and specialize in targeting issue areas such as domestic violence and drug addiction. Table 31 lists six different types of problem solving courts and indicates the number of each type operational in the individual states. By far, the most common problem solving courts are drug courts and family courts. In most cases, family courts are a unit of a district, circuit, trial, or superior court rather than being independent. The jurisdiction assigned to family courts in each state is detailed in Table 32. The table also indicates whether family courts exist statewide or only in a limited number of local jurisdictions.

Table 33 recognizes the significant role that Native American tribal courts have in many states by indicating the number and types of tribal courts that are in place in each state. Public Law 280 (1953) extended state jurisdiction over civil and criminal cases to Native American lands. Table 33 indicates whether a state has assumed that jurisdiction. This listing is not a comprehensive guide to the presence of tribal courts. The table is compiled from several sources, listed below, and cannot be regarded as definitive. The territory of tribal lands is not necessarily bounded within a state, making the presentation of accurate descriptive information on tribal courts problematic for this volume's format. Moreover, there is a complex division of jurisdiction over civil disputes and criminal offenses between federal, state, and tribal courts. As such, there are Tribal Court-State Court Forums in a number of states, with the Tribal Courts and State Courts: *The Prevention and Resolution of Jurisdictional Disputes Project*, established in 1989, as an example. Additional information on tribal courts can be obtained by contacting the organizations responsible for the volumes used as sources or the individual courts.

The status of cameras in trial and appellate courts is described on a state-by-state basis in Table 34. Television cameras may be allowed in some courts and for some types of proceedings within a given state. Whether camera coverage is carried out on an experimental basis or has permanent status is indicated, as is whether the consent of the parties is required.

All but three states (Idaho, Montana and Utah) provide for an insanity defense. For the other states, Table 35 indicates the legal test for insanity and highlights pre-trial, trial, and post-trial standards and procedures for each state.

Recent scientific advances have enabled law enforcement to solve crimes by extracting DNA from a mere speck of blood or a strand of hair left at a crime scene. Table 36 provides information on the 45 states that have adopted a statute regarding post-conviction analysis of DNA evidence. This table, included for the first time in the 2004 edition, specifies the time limit for relief, convictions for which relief may be sought, the length of time biological evidence must be preserved, and the standard for granting DNA testing.

Finally, the methods employed by each state's trial courts to make the trial record available can be found in Table 37. This topic was last addressed in *State Court Organization 1993*. The table first indicates whether or not a trial court makes a verbatim record. If a record is made, four specific methods are listed, with a provision for states to fill in any other methods being used.

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Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | Title | Authority | | Does the presiding judge: | | |
|------------------------------|--------------------------------|----------------------|-------------------|-----------------------------|-------------------------|--------------------------|
| | | Source | Geographic extent | Receive extra compensation? | Continue to hear cases? | Have a reduced caseload? |
| Alabama | | | | | | |
| GJ Circuit | Presiding Judge | Statute/Rules | Ind. circuit | | ■ | |
| LJ District | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | Presiding Judge | Statute/Rules | City | ■ | ~ | ~ |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | |
| GJ Superior | Presiding Judge | Statute/Rules | Ind. circuit | | ■ | |
| LG District | Presiding Judge | Statute/Rules | Ind. circuit | | ■ | |
| Arizona | | | | | | |
| GJ Superior | Presiding Judge | Const/Rules/Order | County | | ■ | ■ |
| LJ Justice of the Peace | Presiding Justice of the Peace | Administrative Order | County | | ■ | |
| LJ Municipal | Presiding Judge | Administrative Order | City | VA | VA | VA |
| Arkansas | | | | | | |
| GJ Circuit | Administrative Judge | Rules | Ind. circuit | | ■ | |
| LJ District | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City | ~ | ~ | ~ | ~ | ~ | ~ |
| California | | | | | | |
| GJ Superior | Presiding Judge | Statute/Rules | County | ■ | ■ | ■ |
| Colorado | | | | | | |
| GJ District | Chief Judge | Chief Justice | Mult. circuits | | ■ | |
| GJ Denver Probate | Presiding Judge | Chief Justice | Ind. circuit | | ■ | |
| GJ Denver Juvenile | Chief Judge | Chief Justice | Ind. circuit | ■ | | |
| GJ Water | Water Court Judge | Chief Justice | Ind. circuit | ■ | | |
| LJ County | Presiding County Court Judge | Chief Justice | County | | ■ | |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S |
| Connecticut | | | | | | |
| GJ Superior | Administrative Judge | Statute | Ind. circuit | ■ | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ |
| Delaware | | | | | | |
| GJ Superior | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Justice of the Peace | Chief Magistrate | Constitution | State | ■ | ■ | ■ |
| LJ Family | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Common Pleas | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Alderman's | ~ | ~ | ~ | ~ | ~ | ~ |
| District of Columbia | | | | | | |
| GJ Superior | Chief Judge | Chief Justice | District | ■ | ■ | |
| Florida | | | | | | |
| GJ Circuit | Chief Judge | Statute/Rules | Ind. circuit | | VA | VA |
| LJ County | Chief Judge | Statute/Rules | Ind. circuit | | VA | VA |
| Georgia | | | | | | |
| GJ Superior | Chief Judge | Rules | Ind. circuit | | ■ | |
| LJ Juvenile | Chief Judge | Rules | County | | ■ | |
| LJ Civil | Chief Judge | Rules | County | N/S | N/S | |
| LJ State | Chief Judge | Rules | County | N/S | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Magistrate | Chief Magistrate | Rules | County | ■ | ~ | ~ |
| LJ Municipal | Chief Judge | Rules | City | N/S | ■ | |
| LJ County Recorder's | Chief Judge | Rules | County | ■ | ■ | |
| LJ Municipal/City of Atlanta | Chief Judge | Rules | City | | ■ | |
| Hawaii | | | | | | |
| GJ Circuit | Administrative Judge | Statute/Rules | Ind. circuit | | ■ | ■ |
| LJ District | Administrative Judge | Statute/Rules | Ind. circuit | | | N/S |

Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■ =Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | Responsibilities of presiding judge: | | | | | | | | |
|------------------------------|--------------------------------------|------------------------|----------------------------------|----------------------------------|--------------------------------|--------------------------|------------------------------|--|-----------------------------------|
| | Supervise non-judicial employees | Assign cases to judges | Assign judges to court divisions | Request & assign visiting judges | Select quasi-judicial officers | Supervise fiscal affairs | Establish special committees | Represent the court in community relations | Maintain statistical & mgmt. data |
| Alabama | | | | | | | | | |
| GJ Circuit | | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| LJ District | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ■ | ■ | ■ | ■ | | | ■ | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LG District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Arizona | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Justice of the Peace | ■ | | | | | | | | |
| LJ Municipal | ■ | VA | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Arkansas | | | | | | | | | |
| GJ Circuit | ■ | ■ | | ■ | | ■ | | ■ | ■ |
| LJ District | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| California | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Colorado | | | | | | | | | |
| GJ District | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ |
| GJ Denver Probate | ■ | | | | ■ | ■ | ■ | ■ | ■ |
| GJ Denver Juvenile | ■ | | | | ■ | ■ | ■ | ■ | ■ |
| GJ Water | ■ | | | | | | | ■ | |
| LJ County | ■ | | | | ■ | | ■ | ■ | ■ |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Connecticut | | | | | | | | | |
| GJ Superior | ■ | ■ | | | | | | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Delaware | | | | | | | | | |
| GJ Superior | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Justice of the Peace | ■ | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| LJ Family | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Common Pleas | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Alderman's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| District of Columbia | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Florida | | | | | | | | | |
| GJ Circuit | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ County | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Georgia | | | | | | | | | |
| GJ Superior | | | ■ | | ■ | | ■ | ■ | |
| LJ Juvenile | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ Civil | ■ | ■ | VA | | | ■ | ■ | ■ | ■ |
| LJ State | VA | | ■ | ■ | | ■ | ■ | ■ | ■ |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Magistrate | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Municipal | ■ | N/S | N/S | N/S | N/S | N/S | N/S | ■ | ■ |
| LJ County Recorder's | ■ | | | ■ | | ■ | ■ | ■ | |
| LJ Municipal/City of Atlanta | ■ | | | ■ | | ■ | ■ | ■ | ■ |
| Hawaii | | | | | | | | | |
| GJ Circuit | | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| LJ District | | ■ | ■ | ■ | | ■ | ■ | ■ | |

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Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | | Authority | | | Does the presiding judge: | | |
|----------------------|----------------------------|--------------------------|----------------------|-----------------------|-----------------------------|-------------------------|--------------------------|
| | | Title | Source | Geographic extent | Receive extra compensation? | Continue to hear cases? | Have a reduced caseload? |
| Idaho | | | | | | | |
| GJ | District | Admin. District Judge | Statute/Rules | Ind. circuit | ■ | ■ | ■ |
| LJ | Magistrate's Division | Admin. District Judge | Statute/Rules | Ind. circuit | ■ | ■ | |
| Illinois | | | | | | | |
| GJ | Circuit | Chief Circuit Judge | Constitution | Ind. circuit | | ■ | ■ |
| Indiana | | | | | | | |
| GJ | Superior and Circuit | VA | VA | VA | VA | VA | VA |
| GJ | Probate | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | County | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | City and Town | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Small Claims/Marion County | ~ | ~ | ~ | ~ | ~ | ~ |
| Iowa | | | | | | | |
| GJ | District | Chief Judge | Statute/Rules | Ind. circuit | ■ | ■ | ■ |
| Kansas | | | | | | | |
| GJ | District | Chief Judge | Statute/Rules | Ind. district | ■ | ■ | VA |
| LJ | Municipal | Chief Judge ² | Appointing authority | City | N/S | ■ | N/S |
| Kentucky | | | | | | | |
| GJ | Circuit | Chief Judge | Rules | Ind/Mult circuit | ■ | ■ | |
| LJ | District | Chief Judge | Rules | Ind/Mult circuit | ■ | ■ | |
| Louisiana | | | | | | | |
| GJ | District | Chief Judge (may vary) | Rules | Ind. circuit | | ■ | |
| GJ | Juvenile & Family | Chief Judge (may vary) | Rules | Ind. circuit | | ■ | |
| LJ | Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Mayor's | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | City & Parish | Chief Judge (may vary) | Rules | County or city | | ■ | |
| Maine | | | | | | | |
| GJ | Superior | NR | NR | NR | NR | NR | NR |
| GJ | District | NR | NR | NR | NR | NR | NR |
| LJ | Probate | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | | |
| GJ | Circuit | Administrative Judge | N/S | Ind. circuit | | ■ | |
| LJ | District | Administrative Judge | N/S | Ind. district | | ■ | |
| LJ | Orphan's | ~ | ~ | ~ | ~ | ~ | ~ |
| Massachusetts | | | | | | | |
| GJ | Superior | Regional Admin. Justice | Appointing authority | Region | | ■ | |
| LJ | District | First Justice | Statute | Division | | ■ | |
| LJ | Probate & Family | First Justice | Statute | Division | | ■ | |
| LJ | Juvenile | First Justice | Statute | Division | | ■ | |
| LJ | Housing | First Justice | Statute | Division ³ | | ■ | |
| LJ | Boston Municipal | First Justice | Statute | Division | | ■ | |
| LJ | Land | Chief Justice | Statute | State | | ■ | |
| Michigan | | | | | | | |
| GJ | Circuit | Chief Judge | Rules | Ind. circuit | | ■ | |
| GJ | Claims | Chief Judge | Rules | Ind. circuit | | ■ | |
| LJ | District | Chief Judge | Rules | Ind. circuit | | ■ | |
| LJ | Probate | Chief Judge | Rules | County | | ■ | |
| LJ | Municipal | Chief Judge | Rules | City | | ■ | |
| Minnesota | | | | | | | |
| GJ | District | Chief Judge | Chief Justice | Ind. circuit | ■ | ■ | ■ |

Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | Responsibilities of presiding judge: | | | | | | | | |
|-------------------------------|--------------------------------------|------------------------|----------------------------------|----------------------------------|--------------------------------|--------------------------|------------------------------|--|-----------------------------------|
| | Supervise non-judicial employees | Assign cases to judges | Assign judges to court divisions | Request & assign visiting judges | Select quasi-judicial officers | Supervise fiscal affairs | Establish special committees | Represent the court in community relations | Maintain statistical & mgmt. data |
| Idaho | | | | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | | 1 | ■ | ■ | |
| LJ Magistrate's Division | ■ | ■ | ■ | ■ | | | ■ | ■ | |
| Illinois | | | | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Indiana | | | | | | | | | |
| GJ Superior and Circuit | VA | VA | VA | VA | VA | VA | VA | VA | VA |
| GJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City and Town | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Small Claims/Marion County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Iowa | | | | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Kansas | | | | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Municipal | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Kentucky | | | | | | | | | |
| GJ Circuit | ■ | | | ■ | ■ | | | | |
| LJ District | ■ | | | ■ | ■ | | | | |
| Louisiana | | | | | | | | | |
| GJ District | ■ | | | | ■ | ■ | ■ | ■ | ■ |
| GJ Juvenile & Family | ■ | | | | ■ | ■ | ■ | ■ | ■ |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Mayor's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City & Parish | ■ | | | | ■ | ■ | ■ | ■ | ■ |
| Maine | | | | | | | | | |
| GJ Superior | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| GJ District | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| LJ Probate | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ District | | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| LJ Orphan's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Massachusetts | | | | | | | | | |
| GJ Superior | ■ | ■ | | ■ | | ■ | | ■ | ■ |
| LJ District | ■ | ■ | | ■ | ■ | ■ | | ■ | ■ |
| LJ Probate & Family | ■ | ■ | | ■ | ■ | ■ | | ■ | ■ |
| LJ Juvenile | ■ | ■ | | ■ | ■ | ■ | | ■ | ■ |
| LJ Housing | ■ | ■ | | ■ | ■ | ■ | | ■ | ■ |
| LJ Boston Municipal | ■ | ■ | | ■ | ■ | ■ | | ■ | ■ |
| LJ Land | ■ | ■ | | | ■ | ■ | ■ | ■ | ■ |
| Michigan | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| GJ Claims | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Probate | ■ | | | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Municipal | ■ | | | ■ | ■ | ■ | ■ | ■ | ■ |
| Minnesota | | | | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | | Authority | | Does the presiding judge: | | |
|-----------------------|--------------------------------|-----------------------------------|-------------------|-----------------------------|-------------------------|--------------------------|
| | Title | Source | Geographic extent | Receive extra compensation? | Continue to hear cases? | Have a reduced caseload? |
| Mississippi | | | | | | |
| GJ | Circuit | Statute | Ind. circuit | | ■ | |
| LJ | Chancery | Statute | Ind. circuit | | ■ | |
| LJ | County | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ |
| LJ | Justice | ~ | ~ | ~ | ~ | ~ |
| Missouri | | | | | | |
| GJ | Circuit | Constitution | Ind. circuit | | ■ | VA |
| LJ | Municipal | Constitution | City | VA | ■ | VA |
| Montana | | | | | | |
| GJ | District | Constitution | Ind. circuit | | ■ | |
| GJ | Workers' Compensation | ~ | ~ | ~ | ~ | ~ |
| GJ | Water | Statute | State | | ■ | |
| LJ | Justice of the Peace | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ |
| LJ | City | ~ | ~ | ~ | ~ | ~ |
| Nebraska | | | | | | |
| GJ | District | Presiding Judge | N/S | Ind. circuit | ■ | |
| LJ | Separate Juvenile | Presiding Judge | N/S | County | ■ | |
| LJ | County | Presiding Judge | N/S | Ind. circuit | ■ | |
| LJ | Workers' Compensation | Presiding Judge | N/S | State | ■ | ■ |
| Nevada | | | | | | |
| GJ | District | Chief Judge | Statute | Ind. circuit | ■ | ■ |
| LJ | Justice | Chief or Admin. Judge | Statute | Township | ■ | |
| LJ | Municipal | Chief or Admin Judge | City charter | City ⁴ | ■ | N/S |
| New Hampshire | | | | | | |
| GJ | Superior | Supervisory Judge | Chief Justice | County | ■ | |
| LJ | District | Justice | Statute | City | ■ | |
| LJ | Probate | ~ | ~ | ~ | ~ | ~ |
| New Jersey | | | | | | |
| GJ | Superior | Assignment Judge | Rules | Vicinage | ■ | ■ |
| LJ | Tax | Presiding Judge | Statute | State | ■ | |
| LJ | Municipal | Presiding Judge | Statute | Vicinage | ■ | |
| New Mexico | | | | | | |
| GJ | District | Chief Judge | Statute | Ind. district | ■ | VA |
| LJ | Magistrate | Chief Magistrate | Policy directive | Court | VA | ■ |
| LJ | Metropolitan/Bernalillo County | Chief Judge | Statute | Ind. district | ■ | |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S |
| LJ | Probate | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | |
| GJ | Supreme | District Admin Judge ⁷ | N/S | Ind. district | ■ | |
| GJ | County | District Admin Judge | N/S | Ind. district | ■ | |
| GJ | Claims | Presiding Judge | N/S | State | ■ | ■ |
| LJ | Surrogates' | District Admin Judge | N/S | Ind. district | ■ | |
| LJ | Family | District Admin Judge ⁸ | N/S | Ind. district | ■ | |
| LJ | District and City | District Admin Judge | N/S | Ind. district | ■ | |
| LJ | NYC Civil | Administrative Judge | N/S | City | ■ | |
| LJ | NYC Criminal | Administrative Judge | N/S | City | ■ | |
| LJ | Town & Village Justice | District Admin Judge | N/S | Ind. district | ■ | |
| North Carolina | | | | | | |
| GJ | Superior | Senior Resident Judge | Statute | Ind. circuit | ■ | ■ |
| LJ | District | Chief District Ct. Judge | Statute | Ind. circuit | ■ | ■ |
| North Dakota | | | | | | |
| GJ | District | Presiding Judge | Statute | Ind. circuit | ■ | ■ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ |

Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | Responsibilities of Presiding Judge: | | | | | | | | |
|-----------------------------------|--------------------------------------|------------------------|----------------------------------|----------------------------------|--------------------------------|--------------------------|------------------------------|--|-----------------------------------|
| | Supervise non-judicial employees | Assign cases to judges | Assign judges to court divisions | Request & assign visiting judges | Select quasi-judicial officers | Supervise fiscal affairs | Establish special committees | Represent the court in community relations | Maintain statistical & mgmt. data |
| Mississippi | | | | | | | | | |
| GJ Circuit | ■ | | | | ■ | ■ | ■ | ■ | |
| LJ Chancery | ■ | | | | ■ | ■ | ■ | ■ | |
| LJ County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Justice | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Missouri | | | | | | | | | |
| GJ Circuit | VA | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| LJ Municipal | ■ | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| Montana | | | | | | | | | |
| GJ District | ■ | | | ■ | ■ | ■ | VA | ■ | VA |
| GJ Workers' Compensation | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| GJ Water | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Nebraska | | | | | | | | | |
| GJ District | ■ | | | ■ | ■ | | ■ | ■ | ■ |
| LJ Separate Juvenile | ■ | | | ■ | ■ | | ■ | ■ | ■ |
| LJ County | ■ | | | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Workers' Compensation | ■ | ■ | | ■ | | ■ | ■ | ■ | ■ |
| Nevada | | | | | | | | | |
| GJ District | 5 | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Justice | N/S | N/S | N/S | N/S | N/S | N/S | N/S | ■ | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New Hampshire | | | | | | | | | |
| GJ Superior | ■ | | | | | | ■ | ■ | |
| LJ District | | | | | | | | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| New Jersey | | | | | | | | | |
| GJ Superior | ■ | ■ | 6 | ■ | | ■ | ■ | ■ | |
| LJ Tax | ■ | ■ | | | | ■ | ■ | ■ | ■ |
| LJ Municipal | | | | ■ | | ■ | ■ | ■ | ■ |
| New Mexico | | | | | | | | | |
| GJ District | ■ | | | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Magistrate | ■ | | | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Metropolitan/Bernalillo County | ■ | | | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | | |
| GJ Supreme | ■ | ■ | ■ | ■ | ■ | ■ | | ■ | ■ |
| GJ County | ■ | ■ | ■ | ■ | ■ | ■ | | ■ | ■ |
| GJ Claims | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Surrogates' | ■ | ■ | ■ | ■ | ■ | ■ | | ■ | ■ |
| LJ Family | ■ | ■ | ■ | ■ | ■ | ■ | | ■ | ■ |
| LJ District and City | ■ | ■ | ■ | ■ | ■ | ■ | | ■ | ■ |
| LJ NYC Civil | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ NYC Criminal | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Town & Village Justice | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| North Carolina | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| North Dakota | | | | | | | | | |
| GJ District | | | ■ | ■ | ■ | | ■ | ■ | |
| LJ Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |

Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | Title | Authority | | Does the presiding judge: | | |
|-----------------------|-----------------------------|--------------------------|-----------------------|-----------------------------|-------------------------|--------------------------|
| | | Source | Geographic extent | Receive extra compensation? | Continue to hear cases? | Have a reduced caseload? |
| Ohio | | | | | | |
| GJ | Common Pleas | Admin or Presiding Judge | Statute/Rules | County | | ■ |
| LJ | Municipal | Admin or Presiding Judge | Statute/Rules | County or city | ■ | ■ |
| LJ | County | Admin or Presiding Judge | Statute/Rules | VA | ■ | |
| LJ | Claims | ~ | ~ | ~ | ~ | ~ |
| LJ | Mayor's | ~ | ~ | ~ | ~ | ~ |
| Oklahoma | | | | | | |
| GJ | District | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal Not of Record | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal of Record | N/S | N/S | N/S | N/S | N/S |
| LJ | Workers' Compensation | N/S | N/S | N/S | N/S | N/S |
| LJ | Tax Review | N/S | N/S | N/S | N/S | N/S |
| Oregon | | | | | | |
| GJ | Circuit | Presiding Judge | Statute | Ind. circuit | | 9 |
| GJ | Tax | Tax Court Judge | Statute | State | | ■ |
| LJ | County | N/S | N/S | N/S | N/S | N/S |
| LJ | Justice | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ |
| Pennsylvania | | | | | | |
| GJ | Common Pleas | President Judge | Statute | Ind. circuit | ■ | VA |
| LJ | Philadelphia Municipal | President Judge | Statute ¹⁰ | Ind. circuit ¹⁰ | ■ | VA |
| LJ | Magisterial District Judges | | | | ■ | VA |
| LJ | Philadelphia Traffic | President/Admin Judge | Statute | Ind. circuit | ■ | ■ |
| Puerto Rico | | | | | | |
| GJ | First Instance | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | |
| GJ | Superior | Presiding Justice | Statute | State | ■ | ■ |
| LJ | Workers' Compensation | Chief Judge | Statute | State | ■ | ■ |
| LJ | District | Chief Judge | Statute | State | ■ | ■ |
| LJ | Family | Chief Judge | Statute | State | ■ | ■ |
| LJ | Probate | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S |
| LJ | Traffic Tribunal | Chief Judge | Statute | State | ■ | ■ |
| South Carolina | | | | | | |
| GJ | Circuit | Chief Judge | Chief Justice | Ind. circuit ¹¹ | | ■ |
| LJ | Family | Chief Judge | Chief Justice | Circuit | | ■ |
| LJ | Magistrate | Chief Magistrate | Chief Justice | County | ■ | |
| LJ | Probate | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | Chief Judge | Chief Justice | City | | ■ |
| South Dakota | | | | | | |
| GJ | Circuit | Presiding Circuit Judge | Statute | Ind. circuit | ■ | ■ |
| LJ | Magistrate | ~ | ~ | ~ | ~ | ~ |
| Tennessee | | | | | | |
| GJ | Circuit | Presiding Judge | N/S | Ind. circuit | | ■ |
| GJ | Chancery | Presiding Judge | N/S | Ind. circuit | | ■ |
| GJ | Criminal | Presiding Judge | N/S | Ind. circuit | | ■ |
| GJ | Probate | N/S | N/S | N/S | N/S | N/S |
| LJ | Juvenile | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ |
| LJ | General Sessions | ~ | ~ | ~ | ~ | ~ |
| Texas | | | | | | |
| GJ | District | Admin. District Judge | Statute | County | VA | ■ |
| LJ | County-level | Admin. County Ct. Judge | Statute | County | VA | ■ |
| LJ | Justice of the Peace | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | Presiding Judge | VA | City | N/S | N/S |

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“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | Responsibilities of presiding judge: | | | | | | | | |
|--------------------------------|--------------------------------------|------------------------|----------------------------------|----------------------------------|--------------------------------|--------------------------|------------------------------|--|-----------------------------------|
| | Supervise non-judicial employees | Assign cases to judges | Assign judges to court divisions | Request & assign visiting judges | Select quasi-judicial officers | Supervise fiscal affairs | Establish special committees | Represent the court in community relations | Maintain statistical & mgmt. data |
| Ohio | | | | | | | | | |
| GJ Common Pleas | ■ | ■ | | ■ | | ■ | ■ | ■ | ■ |
| LJ Municipal | ■ | ■ | | ■ | ■ | ■ | | ■ | ■ |
| LJ County | ■ | ■ | | ■ | | ■ | ■ | ■ | ■ |
| LJ Claims | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Mayor's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Oklahoma | | | | | | | | | |
| GJ District | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Tax Review | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Oregon | | | | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| GJ Tax | ■ | | | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ County | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Justice | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Pennsylvania | | | | | | | | | |
| GJ Common Pleas | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Philadelphia Municipal | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Magisterial District Judges | ■ | | | ■ | | ■ | ■ | ■ | ■ |
| LJ Philadelphia Traffic | ■ | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| Puerto Rico | | | | | | | | | |
| GJ First Instance | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Workers' Compensation | ■ | ■ | ■ | ■ | | ■ | ■ | ■ | ■ |
| LJ District | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ |
| LJ Family | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Traffic Tribunal | ■ | | ■ | | ■ | ■ | ■ | ■ | ■ |
| South Carolina | | | | | | | | | |
| GJ Circuit | | ■ | | ■ | | | | | |
| LJ Family | | ■ | | ■ | | | | | |
| LJ Magistrate | ■ | ■ | ■ | | | ■ | | ■ | ■ |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ■ | ■ | | | | ■ | | ■ | ■ |
| South Dakota | | | | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | | ■ | | ■ | ■ |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Tennessee | | | | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | | | | ■ | |
| GJ Chancery | ■ | ■ | ■ | ■ | | | | ■ | |
| GJ Criminal | ■ | ■ | ■ | ■ | | | | ■ | |
| GJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Juvenile | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ General Sessions | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Texas | | | | | | | | | |
| GJ District | ■ | ■ | | ■ ¹² | | ■ | ■ | ■ | ■ |
| LJ County-level | ■ | ■ | | ■ ¹² | | ■ | ■ | ■ | ■ |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ■ | ■ | ■ | ■ | N/S | N/S | N/S | N/S | N/S |

Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | | Authority | | | Does the presiding judge: | | |
|-----------------------------|-------------------------|--------------------------|-------------------|-----------------------------|---------------------------|--------------------------|----|
| | | Source | Geographic extent | Receive extra compensation? | Continue to hear cases? | Have a reduced caseload? | |
| Title | | | | | | | |
| Utah | | | | | | | |
| GJ | District | Presiding Judge | Statute | Ind. circuit | ■ | ■ | ■ |
| LJ | Justice | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Juvenile | Presiding Judge | Statute | Ind. circuit | ■ | ■ | ■ |
| Vermont¹³ | | | | | | | |
| GJ | Superior | Administrative Judge for | Statute/Order | State | ■ | ■ | ■ |
| GJ | District | Trial Courts | 13 | 13 | 13 | 13 | 13 |
| GJ | Family | 13 | 13 | 13 | 13 | 13 | 13 |
| LJ | Probate | 13 | 13 | 13 | 13 | 13 | 13 |
| LJ | Environmental | 13 | 13 | 13 | 13 | 13 | 13 |
| LJ | Judicial Bureau | 13 | 13 | 13 | 13 | 13 | 13 |
| Virginia | | | | | | | |
| GJ | Circuit | Chief Judge | N/S | Ind. circuit | | ■ | |
| LJ | District | Chief Judge | N/S | Ind. circuit | | ■ | |
| Washington | | | | | | | |
| GJ | Superior | Presiding Judge | Rules | Jud. district | | ■ | |
| LJ | District | Presiding Judge | Rules | County | | ■ | ■ |
| LJ | Municipal | Presiding Judge | Rules | City | | ■ | |
| West Virginia | | | | | | | |
| GJ | Circuit | Chief Judge | N/S | Ind. circuit | | ■ | |
| LJ | Magistrate | Chief Judge | N/S | County | | ■ | |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Family | Chief Judge | N/S | Ind. Circuit | | ■ | |
| Wisconsin | | | | | | | |
| GJ | Circuit | Chief Judge | Statute | Mult. Circuit ¹⁴ | | ■ | VA |
| LJ | Municipal ¹⁵ | Presiding Judge | VA | City | | ■ | |
| Wyoming | | | | | | | |
| GJ | District | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Circuit | Supervising Judge | N/S | Ind. circuit | | ■ | |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ | ~ |

FOOTNOTES:

Idaho:

¹ The Administrative District Judge of the District Court makes state and county budget recommendations.

Kansas:

² Only the three largest Municipal Courts have a Chief Judge.

Massachusetts:

³ Four divisions are multi-city; one comprises only the City of Boston.

Nevada:

⁴ The municipalities often have different boundaries than the general city geographic boundaries. The court only has jurisdiction within the municipality boundaries.

⁵ One district Chief Judge has ultimate decision on appeals of personnel matters.

New Jersey:

⁶ The assignment judge recommends to the Chief Justice the assignment of judges to court divisions.

New York:

⁷ Within New York City, there are six presiding judges of the Supreme Court. Each presiding judge, titled Administrative Judge, has administrative authority over a county or counties. The responsibilities of the Administrative Judge are the same as that of the District Administrative Judge with the exception of the following: the Administrative Judge does continue to hear cases, but has a reduced caseload and the Administrative Judge does establish standing or special committees of judges.

⁸ Within New York City, there is one Administrative Judge of the New York City Family Court. The administrative Judge has administrative authority over the entire city, and the responsibilities of the Administrative Judge are the same as that of a District Administrative judge with the exception that the Administrative Judge can establish standing or special committees of judges.

Oregon:

⁹ The Presiding Judge in the largest courts has a reduced caseload.

Pennsylvania:

¹⁰ The Common Pleas Court President Judge for each judicial district is also the President Judge for all Magisterial District Judges Courts in the judicial district.

South Carolina:

¹¹ The 9th Circuit has a Chief Judge for every county in the circuit.

Texas:

¹² Local administrative judges may request that judges be assigned; however, assignments are made by the regional presiding judges.

Vermont:

¹³ Vermont employs one statewide Administrative Judge that oversees all of the trial courts.

Wisconsin:

¹⁴ Except District 1, which is an individual circuit (Milwaukee County).

¹⁵ This court is only in Milwaukee.

Table 28. Presiding Judges: Authority and Responsibilities

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

“Presiding Judge” is defined as the judge responsible for the administrative management of a court.

| | | Responsibilities of presiding judge: | | | | | | | | |
|----------------------|-----------------|--------------------------------------|------------------------|----------------------------------|----------------------------------|--------------------------------|--------------------------|------------------------------|--|-----------------------------------|
| | | Supervise non-judicial employees | Assign cases to judges | Assign judges to court divisions | Request & assign visiting judges | Select quasi-judicial officers | Supervise fiscal affairs | Establish special committees | Represent the court in community relations | Maintain statistical & mgmt. data |
| Utah | | | | | | | | | | |
| GJ | District | | ■ | ■ | ■ | ■ | | | | |
| LJ | Justice | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Juvenile | | ■ | ■ | ■ | ■ | | ■ | ■ | ■ |
| Vermont | | | | | | | | | | |
| GJ | Superior | ■ | ■ | ■ | ■ | ■ | | ■ | ■ | |
| GJ | District | 13 | 13 | 13 | 13 | 13 | | 13 | 13 | |
| GJ | Family | 13 | 13 | 13 | 13 | 13 | | 13 | 13 | |
| LJ | Probate | 13 | 13 | 13 | 13 | 13 | | 13 | 13 | |
| LJ | Environmental | 13 | 13 | 13 | 13 | 13 | | 13 | 13 | |
| LJ | Judicial Bureau | 13 | 13 | 13 | 13 | 13 | | 13 | 13 | |
| Virginia | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ | District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Washington | | | | | | | | | | |
| GJ | Superior | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ | District | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ | Municipal | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| West Virginia | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | | ■ | ■ | | ■ | ■ | |
| LJ | Magistrate | ■ | | | | ■ | ■ | ■ | ■ | ■ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Family | | | | | | | ■ | | |
| Wisconsin | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ | Municipal | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Wyoming | | | | | | | | | | |
| GJ | District | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Circuit | ■ | | | | | | | | |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |

Table 29. Selection and Number of Trial Court Clerks and Trial Court Administrators

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; ~ =Not applicable

| | Clerks of court | | | Trial court administrators | | | | |
|------------------------------|----------------------------|------------------------------|---------------------------------------|----------------------------|--------|-----------------|-----------------------|------------------|
| | Number of clerks that are: | | | Appointed by: | | | Number that serve by: | |
| | Elected | Appointed by judicial branch | Appointed by non-judicial branch body | AOC | Judges | Other | Region | Individual court |
| Alabama | | | | | | | | |
| GJ Circuit | 68 ₁ | | | ~ | ■ | ~ | ~ | 5 |
| LJ District | | | 256 | ■ | ~ | ~ | ~ | ~ ₂ |
| LJ Municipal | | | | ~ | ~ | ~ | ~ | ~ |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | | | |
| GJ Superior | | 43 ₃ | | | | ■ ₃ | 4 ₃ | |
| LG District | | | | | | | | |
| Arizona | | | | | | | | |
| GJ Superior | 15 | | | ■ | | ■ | | 15 ₄ |
| LJ Justice of the Peace | | 80 | | ■ | | ■ | | 4 |
| LJ Municipal | | 62 | | ■ | | ■ | | 4 |
| Arkansas | | | | | | | | |
| GJ Circuit | 75 ₅ | | | | | ■ | | 3 |
| LJ District | | 5 | | ~ | ~ | ~ | ~ | ~ |
| LJ City | 6 | 6 | | ~ | ~ | ~ | ~ | ~ |
| California | | | | | | | | |
| GJ Superior | ~ | ~ | ~ | | | ■ | 58 | |
| Colorado | | | | | | | | |
| GJ District | | 62 ⁷ | | | | ■ | 22 ⁸ | |
| GJ Denver Probate | ~ | ~ | ~ | | | ■ | | 1 |
| GJ Denver Juvenile | | 1 | | | | ■ | | 1 |
| GJ Water ⁹ | | 7 | | | | ■ ₈ | | 7 |
| LJ County | | 69 ⁷ | | | | | 8 | |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Connecticut | | | | | | | | |
| GJ Superior | | 13 | | ~ | ~ | ~ | ~ | ~ |
| LJ Probate | | 310 | | ~ | ~ | ~ | ~ | ~ |
| Delaware | | | | | | | | |
| GJ Superior | | 3 | | | | ■ | 1 | 1 |
| LJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Justice of the Peace | | 20 | | | | ■ | | 1 |
| LJ Family | | 3 | | | | ■ | 1 | 1 |
| LJ Common Pleas | | 3 | | | | ■ | 1 | 1 |
| LJ Alderman's | | | 1 or 2 | ~ | ~ | ~ | ~ | ~ |
| District of Columbia | | | | | | | | |
| GJ Superior | | | 1 | ~ | ~ | ~ | ~ | ~ |
| Florida | | | | | | | | |
| GJ Circuit | 67 ₁₀ | | | | | ■ ₁₀ | | 20 ₁₀ |
| LJ County | | | | | | | | |
| Georgia | | | | | | | | |
| GJ Superior | 159 ¹¹ | | | ■ | | | | 41 |
| LJ Juvenile | | 29 ¹¹ | | ■ | | ■ | 28 | 14 |
| LJ Civil | | N/S | | ~ | ~ | ~ | ~ | ~ |
| LJ State | | 12 | | ~ | ~ | ~ | ~ | ~ |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | N/S | N/S | N/S | ■ | | ■ | | 3 |
| LJ County Recorder's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal/City of Atlanta | | 1 | | ■ | | ■ | | 1 |
| Hawaii | | | | | | | | |
| GJ Circuit | | 4 ¹² | | | 12 | | 12 | |
| LJ District | | 12 | | | 12 | | 12 | |
| Idaho | | | | | | | | |
| GJ District | 44 ₁₃ | | | | | ■ ₁₃ | 7 ₁₃ | |
| LJ Magistrate's Division | | | | | 13 | | | |

Table 29. Selection and Number of Trial Court Clerks and Trial Court Administrators

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; ~ =Not applicable

| | Clerks of court | | | Trial court administrators | | | | |
|-------------------------------|----------------------------|------------------------------|---------------------------------------|----------------------------|--------|-------|-----------------------|-----------------------|
| | Number of clerks that are: | | | Appointed by: | | | Number that serve by: | |
| | Elected | Appointed by judicial branch | Appointed by non-judicial branch body | AOC | Judges | Other | Region | Individual court |
| Illinois | | | | | | | | |
| GJ Circuit | 102 | | | | | ■ | 17 | |
| Indiana | | | | | | | | |
| GJ Superior and Circuit | 92 | | | 14 | 14 | 14 | 14 | 14 |
| GJ Probate | | 4 | | | | ■ | | 2 |
| LJ County | 1 | | | ~ | ~ | ~ | ~ | ~ |
| LJ City and Town | | 43 | | ■ | | | | 10 |
| LJ Small Claims/Marion County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Iowa | | | | | | | | |
| GJ District | | 99 | | | | ■ | 8 | |
| Kansas | | | | | | | | |
| GJ District | | 105 | | | | ■ | | 14 |
| LJ Municipal | | | 380 | | | ■ | | 5 |
| Kentucky | | | | | | | | |
| GJ Circuit | 120 | | | | | ■ | | 30 |
| LJ District | 15 | | | | | ■ | | 3 |
| Louisiana | | | | | | | | |
| GJ District | 67 | | | ■ | | ■ | | 24 |
| GJ Juvenile & Family | 4 | 1 | | ■ | | ■ | | 5 |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Mayor's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City & Parish | 2 | 71 ¹⁶ | | ■ | | | | 18 ¹⁶ |
| Maine | | | | | | | | |
| GJ Superior | NR | NR | NR | NR | NR | NR | NR | NR |
| GJ District | NR | NR | NR | NR | NR | NR | NR | NR |
| LJ Probate | NR | NR | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | | | |
| GJ Circuit | 24 | | | | | ■ | 3 | 10 |
| LJ District | | 12 | | ~ | ~ | ~ | ~ | ~ |
| LJ Orphan's | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Massachusetts | | | | | | | | |
| GJ Superior | 15 | | | ■ | | | 1 | |
| LJ District | | | 62 | ■ | | | 1 | |
| LJ Probate & Family | 14 | | | ■ | | | 1 | |
| LJ Juvenile | | | 12 | ■ | | | 1 | |
| LJ Housing | | | 6 | ■ | | | 1 | |
| LJ Boston Municipal | | | 8 | ■ | | | 1 | |
| LJ Land | | | 1 | ■ | | | 1 | |
| Michigan | | | | | | | | |
| GJ Circuit | 83 | | | | | ■ | | 57 |
| GJ Claims | 1 | | | | | ■ | | 1 |
| LJ District | | N/S | | | | ■ | | 131 |
| LJ Probate | | N/S | | | | ■ | | 43 |
| LJ Municipal | | 4 | | | | ■ | | 4 |
| Minnesota | | | | | | | | |
| GJ District | | 80 | | | | ■ | 10 | 1 |
| Mississippi | | | | | | | | |
| GJ Circuit | 82 ¹⁷ | | | | | ■ | | 40 |
| LJ Chancery | 82 | | | | | ■ | | 32 |
| LJ County | 17 | | | | | ■ | | 12 |
| LJ Municipal | | | N/S | ~ | ~ | ~ | ~ | ~ |
| LJ Justice | | | 86 | ~ | ~ | ~ | ~ | ~ |
| Missouri | | | | | | | | |
| GJ Circuit | 110 | 5 | | | ■ | ■ | | 6 |
| LJ Municipal | | N/S | N/S | ■ | | ■ | | 300-400 ¹⁸ |

Table 29. Selection and Number of Trial Court Clerks and Trial Court Administrators

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; ~=Not applicable

| | Clerks of court | | | Trial court administrators | | | | |
|-----------------------------------|----------------------------|------------------------------|---------------------------------------|----------------------------|--------|-------|-----------------------|------------------|
| | Number of clerks that are: | | | Appointed by: | | | Number that serve by: | |
| | Elected | Appointed by judicial branch | Appointed by non-judicial branch body | AOC | Judges | Other | Region | Individual court |
| Montana | | | | | | | | |
| GJ District | 56 | | | | | ■ | | 6 |
| GJ Workers' Compensation | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| GJ Water | | 1 | | ~ | ~ | ~ | ~ | ~ |
| LJ Justice of the Peace | | N/S | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | | 5 | | ~ | ~ | ~ | ~ | ~ |
| LJ City | | N/S | | ~ | ~ | ~ | ~ | ~ |
| Nebraska | | | | | | | | |
| GJ District | 93 | | | | | ■ | | 1 |
| LJ Separate Juvenile | 3 | | | | | ■ | | 1 |
| LJ County | | 93 | | ~ | ~ | ~ | ~ | ~ |
| LJ Workers' Compensation | | 1 | | | | ■ | | 1 |
| Nevada | | | | | | | | |
| GJ District | 16 | 1 | | | ■ | ■ | | 2 |
| LJ Justice | | N/S | N/S | | ■ | ■ | | 10 |
| LJ Municipal | 4 | | | | ■ | ■ | | 3 |
| New Hampshire | | | | | | | | |
| GJ Superior | | 11 | | ~ | ~ | ~ | ~ | ~ |
| LJ District | | 36 | | ■ | | ■ | 3 | |
| LJ Probate | 10 | 1 | | | | ■ | 1 | |
| New Jersey | | | | | | | | |
| GJ Superior | | 1 | | ■ | ■ | | 15 | |
| LJ Tax | | 1 | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | | | 1 or 2 per court | ■ | ■ | | 15 | |
| New Mexico | | | | | | | | |
| GJ District | | 13 | | ■ | | | 13 | 1 |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Metropolitan/Bernalillo County | ~ | ~ | ~ | | ■ | | 1 | 1 |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | |
| GJ Supreme | | 45 ¹⁹ | | ■ | | | 9 | |
| GJ County | | 37 ¹⁹ | | 19 | | | 20 | |
| GJ Claims | | 1 | | ~ | ~ | ~ | ~ | ~ |
| LJ Surrogates' | | 66 | | ~ | ~ | ~ | ~ | ~ |
| LJ Family | | 86 | | ~ | ~ | ~ | ~ | ~ |
| LJ District and City | | 1 | | ~ | ~ | ~ | ~ | ~ |
| LJ NYC Civil | | 1 | | ~ | ~ | ~ | ~ | ~ |
| LJ NYC Criminal | | 1 | | ~ | ~ | ~ | ~ | ~ |
| LJ Town & Village Justice | | | 1,471 | ~ | ~ | ~ | ~ | ~ |
| North Carolina | | | | | | | | |
| GJ Superior | 100 | | | | | ■ | 12 | |
| LJ District | 100 | | | | | 21 | 21 | |
| North Dakota | | | | | | | | |
| GJ District | 30 | 11 | 12 | | ■ | | 4 | |
| LJ Municipal | 42 | 11 | | | 22 | | 21 | |
| Ohio | | | | | | | | |
| GJ Common Pleas | 88 | | | | | ■ | N/S | N/S |
| LJ Municipal | N/S ²³ | N/S ²³ | | | | ■ | | 33 |
| LJ County | | 1 | | | | ■ | | 6 |
| LJ Claims | | 1 | | ~ | ~ | ~ | ~ | ~ |
| LJ Mayor's | | | 1 | ~ | ~ | ~ | ~ | ~ |

Table 29. Selection and Number of Trial Court Clerks and Trial Court Administrators

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; ~ =Not applicable

| | Clerks of court | | | Trial court administrators | | | | |
|--------------------------------|----------------------------|------------------------------|---------------------------------------|----------------------------|-----------------|-----------------|-----------------------|-------------------|
| | Number of clerks that are: | | | Appointed by: | | | Number that serve by: | |
| | Elected | Appointed by judicial branch | Appointed by non-judicial branch body | AOC | Judges | Other | Region | Individual court |
| Oklahoma | | | | | | | | |
| GJ District | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Tax Review | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Oregon | | | | | | | | |
| GJ Circuit | ~ | ~ | ~ | | ■ ²⁴ | ■ | | 27 |
| GJ Tax | ~ | ~ | ~ | | ■ ²⁴ | ■ | | 1 |
| LJ County | ~ | ~ | ~ | N/S | N/S | N/S | N/S | N/S |
| LJ Justice | ~ | ~ | ~ | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Pennsylvania | | | | | | | | |
| GJ Common Pleas | 60 ₂₅ | | | ■ ₂₅ | ■ ₂₅ | | | 61 ₂₅ |
| LJ Philadelphia Municipal | | | | ■ | ■ | | | 61 |
| LJ Magisterial District Judges | ~ | ~ | ~ | ■ | ■ | | | 1 |
| LJ Philadelphia Traffic | ~ | ~ | ~ | ■ | ■ | | | 1 |
| Puerto Rico | | | | | | | | |
| GJ First Instance | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | | | |
| GJ Superior | | 4 | | | ■ | | | 1 |
| LJ Workers' Compensation | | 1 | | | ■ | | | 1 |
| LJ District | | 4 | 1 | | ■ | | | 1 |
| LJ Family | | 4 | | | ■ | | 1 | 1 |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Traffic Tribunal | | 1 | | | ■ | | | 1 |
| South Carolina | | | | | | | | |
| GJ Circuit | 46 ₂₆ | | | ~ | ~ | ~ | ~ | ~ |
| LJ Family | | | | ~ | ~ | ~ | ~ | ~ |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| South Dakota | | | | | | | | |
| GJ Circuit | | 61 ₂₇ | | | | ■ ₂₇ | 7 ₂₇ | |
| LJ Magistrate | | | | | | | | |
| Tennessee | | | | | | | | |
| GJ Circuit | 95 | | | ~ | ~ | ~ | ~ | ~ |
| GJ Chancery | | 95 | | ~ | ~ | ~ | ~ | ~ |
| GJ Criminal | 95 | | | ~ | ~ | ~ | ~ | ~ |
| GJ Probate | 1 | | | ~ | ~ | ~ | ~ | ~ |
| LJ Juvenile | N/S | N/S | | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | ~ | ~ | ~ | ~ | ~ |
| LJ General Sessions | | N/S | | N/S | | | N/S | N/S |
| Texas | | | | | | | | |
| GJ District | 254 | | | | | ■ | 19 | 456 ²⁸ |
| LJ County-level | 254 | | | | | ■ | 9 | 300 ²⁸ |
| LJ Justice of the Peace | | 827 ₂₉ | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | | | 29 | ~ | ~ | ~ | ~ | ~ |
| Utah | | | | | | | | |
| GJ District | | 13 ³⁰ | | | ■ | | 8 ³⁰ | |
| LJ Justice | ~ | ~ | ~ | ■ | | | | 6 |
| LJ Juvenile | | 12 ³⁰ | | | ■ | | 8 ³⁰ | |

Table 29. Selection and Number of Trial Court Clerks and Trial Court Administrators

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; NR=No response; N/S=Not stated; ~ =Not applicable

| | Clerks of court | | | Trial court administrators | | | | | |
|----------------------|----------------------------|------------------------------|---------------------------------------|----------------------------|--------|-----------------|-----------------------|-------------------|--|
| | Number of clerks that are: | | | Appointed by: | | | Number that serve by: | | |
| | Elected | Appointed by judicial branch | Appointed by non-judicial branch body | AOC | Judges | Other | Region | Individual court | |
| Vermont | | | | | | | | | |
| GJ Superior | | 14 | | | | ■ ³² | 1 ³² | | |
| GJ District | | | 14 ³¹ | | | ■ ³² | 32 | | |
| GJ Family | | | 14 ³¹ | | | ■ ³² | 32 | | |
| LJ Probate | | 18 | | | | ■ ³² | 32 | | |
| LJ Environmental | | | 1 ³¹ | | | ■ ³² | 32 | | |
| LJ Judicial Bureau | | | 1 ³¹ | | | ■ ³² | 32 | | |
| Virginia | | | | | | | | | |
| GJ Circuit | 120 | | | ~ | ~ | ~ | ~ | ~ | |
| LJ District | | 195 | | ~ | ~ | ~ | ~ | ~ | |
| Washington | | | | | | | | | |
| GJ Superior | 35 | 1 ³³ | 3 | | ■ | | 4 | 30 | |
| LJ District | | 33 | | | ■ | | | 55 ³³ | |
| LJ Municipal | | 33 | | | ■ | | | 124 ³³ | |
| West Virginia | | | | | | | | | |
| GJ Circuit | 55 | | | ~ | ■ | ~ | ~ | 2 | |
| LJ Magistrate | | | 55 | ~ | ~ | ~ | ~ | ~ | |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | |
| LJ Family | 55 | | | ■ | | | 1 | | |
| Wisconsin | | | | | | | | | |
| GJ Circuit | 72 | | | | ■ | ■ | 10 | | |
| LJ Municipal | | 235 | | | | ■ | | 2 | |
| Wyoming | | | | | | | | | |
| GJ District | 23 | | | ~ | ~ | ~ | ~ | ~ | |
| LJ Circuit | | 116 ³⁴ | | ~ | ~ | ~ | ~ | ~ | |
| LJ Municipal | | | 34 | ~ | ~ | ~ | ~ | ~ | |

FOOTNOTES:

Alabama:

¹ Clerks of court serve both the Circuit and District Courts.
² Only the larger municipalities have trial court administrators.

Alaska:

³ Clerks of court and trial court administrators serve both the Superior and District Courts.

Arizona:

⁴ Some of the larger Justice of the Peace and Municipal Courts have trial court administrators.

Arkansas:

⁵ The District Court has a total of 124 clerks of court that are either elected or appointed by the judiciary.
⁶ The City Court has a total of 93 clerks of court that are either elected or appointed by the judiciary.

Colorado:

⁷ The District Court clerks of court also serve the County Court.
⁸ The District Court trial court administrators also serve the County court, and three trial court administrators serve as District and County Court clerks.
⁹ Clerks of court and trial court administrators are not specifically assigned to the Water Court; they oversee all functions of the District Courts, which includes the Water Court.

Florida:

¹⁰ Clerks of court and trial court administrators serve both the Circuit and County Courts.

Georgia:

¹¹ One hundred twenty-five Superior Court clerks also serve the Juvenile Court.

Hawaii:

¹² The chief court administrator in each circuit is both the clerk of court and the trial court administrator.

Idaho:

¹³ Clerks of court and trial court administrators serve both the District Court and the Magistrate's Division.

Indiana:

¹⁴ Whether or not the Superior and Circuit Courts have a trial court administrator and the method of selection for the trial court administrator vary by county.

Kentucky:

¹⁵ Clerks of court serve both the Circuit and District Courts.

Louisiana:

¹⁶ Many of the City and Parish Court trial court administrators also serve as clerks of court.

Mississippi:

¹⁷ Nineteen of the 82 Circuit Court clerks of court also serve the County Courts.

Missouri:

¹⁸ The Municipal Courts use the terms clerk of court and trial court administrator interchangeably. Many of these positions are part-time, and the title and method of selection vary based on municipal ordinance.

New York:

¹⁹ Twenty clerks of court serve both the Supreme and County Courts.
²⁰ Trial court administrators serve both the Supreme and County Courts.

North Carolina:

²¹ Trial court administrators serve both the Superior and District Courts.

Table 29. Selection and Number of Trial Court Clerks and Trial Court Administrators**North Dakota:**

²² Trial court administrators serve both the District and Municipal Courts.

Ohio:

²³ Clerks of court are appointed by the bench in counties with less than 100,000 residents, but are elected in counties with populations of 100,000 or more.

Oregon:

²⁴ The presiding judge appoints the trial court administrator.

Pennsylvania:

²⁵ The clerk of court and trial court administrator for Philadelphia County serve the Philadelphia Municipal Court.

South Carolina:

²⁶ Clerks of court serve both the Circuit and Family Courts.

South Dakota:

²⁷ Clerks of court and trial court administrators serve both the Circuit and Magistrate Courts.

Texas:

²⁸ These are court coordinators who are responsible for the day-to-day operations of the court.

²⁹ The Municipal Court has approximately 1,345 clerks of court that are either appointed by the bench or by a non-judicial branch government body.

Utah:

³⁰ Clerks of court are appointed by the trial court administrator. Nine clerks of court and five trial court administrators serve both the District and Juvenile Courts.

Vermont:

³¹ Clerks of court are appointed by the state court administrator.

³² Vermont employs one statewide trial court administrator that oversees all trial courts and is appointed by the state court administrator.

Washington:

³³ The District and Municipal Courts use the terms clerk of court and trial court administrator interchangeably.

Wyoming:

³⁴ The Municipal Court has a total of 81 clerks of court that are either appointed by the judicial branch or are hired by the city.

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

| | Caseflow management | | Collect fines and fees | | Courthouse facilities management | | Jury selection | | Maintain the court record | |
|------------------------------|---------------------|-----|------------------------|-----|----------------------------------|-----|----------------|-----|---------------------------|-----|
| | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Alabama | | | | | | | | | | |
| GJ Circuit | ■ | ■ | ■ | | | | ■ | ■ | ■ | |
| LJ District | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ Municipal | ■ | ■ | ■ | | ■ | ■ | | | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | | | | | |
| GJ Superior | | ■ | ■ | | | ■ | ■ | ■ | ■ | ■ |
| LG District | | ■ | ■ | | | ■ | ■ | ■ | ■ | ■ |
| Arizona | | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ | |
| LJ Justice of the Peace | ■ | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | |
| LJ Municipal | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| Arkansas | | | | | | | | | | |
| GJ Circuit | ■ | ■ | ■ | | | | ■ | | ■ | |
| LJ District | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |
| LJ City | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |
| California | | | | | | | | | | |
| GJ Superior | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ |
| Colorado | | | | | | | | | | |
| GJ District | ■ | ■ | ■ | | | | | | ■ | |
| GJ Denver Probate | | ■ | | ■ | | | | | | ■ |
| GJ Denver Juvenile | ■ | ■ | ■ | | | | | | ■ | |
| GJ Water | ■ | ■ | ■ | | | | | | ■ | |
| LJ County | ■ | ■ | ■ | | | | | | ■ | |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Connecticut | | | | | | | | | | |
| GJ Superior | ■ | ~ | | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| LJ Probate | ■ | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| Delaware | | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ |
| LJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Justice of the Peace | ■ | ■ | ■ | ■ | ■ | ■ | | | ■ | ■ |
| LJ Family | | | | | | | | | | |
| LJ Common Pleas | ■ | ■ | ■ | ■ | | | | | ■ | ■ |
| LJ Alderman's | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ |
| District of Columbia | | | | | | | | | | |
| GJ Superior | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| Florida | | | | | | | | | | |
| GJ Circuit | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ County | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | ■ |
| Georgia | | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| LJ Juvenile | VA | ■ | ■ | | ■ | ■ | | | ■ | |
| LJ Civil | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |
| LJ State | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ County Recorder's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal/City of Atlanta | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Hawaii | | | | | | | | | | |
| GJ Circuit | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| LJ District | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| Idaho | | | | | | | | | | |
| GJ District | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ Magistrate's Division | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■ =Yes

| | Marriage licenses | | Mortgage records | | Record/Maintain conveyance records | | Repository of birth certificates | | Supervise court reporters | |
|------------------------------|-------------------|-----|------------------|-----|------------------------------------|-----|----------------------------------|-----|---------------------------|-----|
| | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Alabama | | | | | | | | | | |
| GJ Circuit | | | | | | | | | | |
| LJ District | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ Municipal | | | | | | | | | | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | | | | | |
| GJ Superior | ■ | | | | | | | | | |
| LG District | ■ | | | | | | | | | |
| Arizona | | | | | | | | | | |
| GJ Superior | ■ | | | | | | | | | ■ |
| LJ Justice of the Peace | | | | | | | | | | |
| LJ Municipal | | | | | | | | | | |
| Arkansas | | | | | | | | | | |
| GJ Circuit | ■ | | ■ | | ■ | | | | | |
| LJ District | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ City | | ~ | | ~ | | ~ | | ~ | | ~ |
| California | | | | | | | | | | |
| GJ Superior | ~ | | ~ | | ~ | | ~ | | ~ | ■ |
| Colorado | | | | | | | | | | |
| GJ District | | | | | | | | | | |
| GJ Denver Probate | | | | | | | | | ■ | |
| GJ Denver Juvenile | | | | | | | | | | |
| GJ Water | | | | | | | | | | |
| LJ County | | | | | | | | | | |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Connecticut | | | | | | | | | | |
| GJ Superior | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Probate | | ~ | | ~ | | ~ | | ~ | | ~ |
| Delaware | | | | | | | | | | |
| GJ Superior | | | | | | | | | ■ | ■ |
| LJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Justice of the Peace | | | | | | | | | | |
| LJ Family | ■ | ■ | ■ | ■ | | | | | ■ | ■ |
| LJ Common Pleas | | | | | | | | | | ■ |
| LJ Alderman's | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ |
| District of Columbia | | | | | | | | | | |
| GJ Superior | ■ | ~ | | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| Florida | | | | | | | | | | |
| GJ Circuit | ■ | | | | ■ | | ■ | | | ■ |
| LJ County | ■ | | | | ■ | | ■ | | | ■ |
| Georgia | | | | | | | | | | |
| GJ Superior | | | ■ | | ■ | | | | ■ | ■ |
| LJ Juvenile | | | | | | | | | ■ | ■ |
| LJ Civil | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ State | | | | | | | | | ■ | |
| LJ Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal/of Columbus | | | | | | | | | | |
| LJ County Recorder's | | | | | | | | | ~ | ~ |
| LJ Municipal/City of Atlanta | | | | | | | | | ■ | ■ |
| Hawaii | | | | | | | | | | |
| GJ Circuit | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ District | | | | | | | | | | ■ |
| Idaho | | | | | | | | | | |
| GJ District | | | | | ■ | | | | | ■ |
| LJ Magistrate's Division | ■ | | ■ | | ■ | | | | | ■ |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

| | | Caseflow management | | Collect fines and fees | | Courthouse facilities management | | Jury selection | | Maintain the court record | |
|----------------------|----------------------------|---------------------|-----|------------------------|-----|----------------------------------|-----|----------------|-----|---------------------------|-----|
| | | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Illinois | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ | |
| Indiana | | | | | | | | | | | |
| GJ | Superior and Circuit | VA | VA | ■ | | | | | | ■ | |
| GJ | Probate | ■ | ■ | ■ | | | | ■ | ■ | ■ | ■ |
| LJ | County | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ | City and Town | ■ | ■ | ■ | ■ | | | ~ | ~ | ■ | ■ |
| LJ | Small Claims/Marion County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Iowa | | | | | | | | | | | |
| GJ | District | | ■ | ■ | | | ■ | ■ | ■ | ■ | ■ |
| Kansas | | | | | | | | | | | |
| GJ | District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ | Municipal | ■ | ■ | ■ | ■ | ■ | ■ | | | ■ | ■ |
| Kentucky | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | | | | ■ | ■ | ■ | |
| LJ | District | ■ | ■ | ■ | | | | ■ | ■ | ■ | |
| Louisiana | | | | | | | | | | | |
| GJ | District | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ | |
| GJ | Juvenile & Family | ■ | ■ | ■ | | | | | | ■ | |
| LJ | Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Mayor's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | City & Parish | ■ | ■ | ■ | ■ | ■ | ■ | | | ■ | ■ |
| Maine | | | | | | | | | | | |
| GJ | Superior | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| GJ | District | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| LJ | Probate | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ | |
| LJ | District | ■ | ~ | ■ | ~ | ■ | ~ | ~ | ~ | ■ | ~ |
| LJ | Orphan's | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Massachusetts | | | | | | | | | | | |
| GJ | Superior | ■ | ■ | ■ | | | | | | ■ | |
| LJ | District | ■ | ■ | ■ | | | | | | ■ | |
| LJ | Probate & Family | ■ | ■ | ■ | | | | | | ■ | |
| LJ | Juvenile | ■ | ■ | ■ | | | | | | ■ | |
| LJ | Housing | ■ | ■ | ■ | | | | | | ■ | |
| LJ | Boston Municipal | ■ | ■ | ■ | | | | | | ■ | |
| LJ | Land | ■ | ■ | ■ | | | | | | ■ | |
| Michigan | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | |
| GJ | Claims | | ■ | | ■ | | ■ | ■ | | | ■ |
| LJ | District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ | Probate | ■ | ■ | ■ | | | ■ | ■ | | ■ | ■ |
| LJ | Municipal | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Minnesota | | | | | | | | | | | |
| GJ | District | ■ | | ■ | | | | ■ | | ■ | |
| Mississippi | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | | | | ■ | | ■ | |
| LJ | Chancery | ■ | ■ | ■ | | | | ■ | | ■ | |
| LJ | County | ■ | ■ | ■ | | | | ■ | | ■ | |
| LJ | Municipal | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ | Justice | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| Missouri | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ | Municipal | ■ | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

| | Marriage licenses | | Mortgage records | | Record/Maintain conveyance records | | Repository of birth certificates | | Supervise court reporters | |
|-------------------------------|-------------------|-----|------------------|-----|------------------------------------|-----|----------------------------------|-----|---------------------------|-----|
| | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Illinois | | | | | | | | | | |
| GJ Circuit | | | | | | | | | | ■ |
| Indiana | | | | | | | | | | |
| GJ Superior and Circuit | ■ | | ■ | | ■ | | | | | |
| GJ Probate | | | | | | | | | | ■ |
| LJ County | ■ | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ City and Town | | | | | | | | | | |
| LJ Small Claims/Marion County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| Iowa | | | | | | | | | | |
| GJ District | | | | | | | | | | ■ |
| Kansas | | | | | | | | | | |
| GJ District | ■ | | ■ | | ■ | | | ■ | | ■ |
| LJ Municipal | | | | | | | | | | |
| Kentucky | | | | | | | | | | |
| GJ Circuit | | | | | | | | | | |
| LJ District | | | | | | | | | | |
| Louisiana | | | | | | | | | | |
| GJ District | | | ■ | | ■ | | | | | ■ |
| GJ Juvenile & Family | | | | | | | | | | ■ |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Mayor's | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ City & Parish | | | | | | | | | ■ | ■ |
| Maine | | | | | | | | | | |
| GJ Superior | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| GJ District | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| LJ Probate | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | | | | | |
| GJ Circuit | ■ | | ■ | | ■ | | | | | ■ |
| LJ District | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Orphan's | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Massachusetts | | | | | | | | | | |
| GJ Superior | | | | | | | | | | ■ |
| LJ District | | | | | | | | | | |
| LJ Probate & Family | | | | | | | | | | |
| LJ Juvenile | | | | | | | | | | |
| LJ Housing | | | | | | | | | | |
| LJ Boston Municipal | | | | | | | | | | |
| LJ Land | | | | | | | | | | |
| Michigan | | | | | | | | | | |
| GJ Circuit | | | | | | | | | | |
| GJ Claims | | | | | | | | | | |
| LJ District | | | | | | | | | | |
| LJ Probate | | | | | | | | | | |
| LJ Municipal | | | | | | | | | | |
| Minnesota | | | | | | | | | | |
| GJ District | | | | | | | | | | |
| Mississippi | | | | | | | | | | |
| GJ Circuit | | | | | | | | | | ■ |
| LJ Chancery | ■ | | ■ | | ■ | | | | | ■ |
| LJ County | ■ | | | | | | | | | ■ |
| LJ Municipal | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ Justice | | ~ | | ~ | | ~ | | ~ | | ~ |
| Missouri | | | | | | | | | | |
| GJ Circuit | | | | | | | | | | |
| LJ Municipal | | | | | | | | | | |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■ =Yes

| | Caseflow management | | Collect fines and fees | | Courthouse facilities management | | Jury selection | | Maintain the court record | |
|-----------------------------------|---------------------|-----|------------------------|-----|----------------------------------|-----|----------------|-----|---------------------------|-----|
| | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Montana | | | | | | | | | | |
| GJ District | ■ | ■ | ■ | | | | ■ | | ■ | |
| GJ Workers' Compensation | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| GJ Water | ■ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ■ | ~ |
| LJ Justice of the Peace | ■ | ~ | ■ | ~ | ~ | ~ | ■ | ~ | ~ | ~ |
| LJ Municipal | ■ | ~ | ■ | ~ | ~ | ~ | ■ | ~ | ■ | ~ |
| LJ City | ■ | ~ | ■ | ~ | ~ | ~ | ■ | ~ | ■ | ~ |
| Nebraska | | | | | | | | | | |
| GJ District | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| LJ Separate Juvenile | ■ | ■ | ■ | | ■ | ■ | ■ | | ■ | |
| LJ County | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| LJ Workers' Compensation | ■ | ■ | ■ | | ■ | ■ | | | ■ | |
| Nevada | | | | | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Justice | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Municipal | ■ | ■ | ■ | ■ | ■ | ■ | | | ■ | ■ |
| New Hampshire | | | | | | | | | | |
| GJ Superior | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ District | ■ | | ■ | | | | | | ■ | |
| LJ Probate | ■ | | ■ | | | | | | ■ | |
| New Jersey | | | | | | | | | | |
| GJ Superior | | ■ | ■ | ■ | | | | ■ | ■ | ■ |
| LJ Tax | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |
| LJ Municipal | ■ | ■ | ■ | | ■ | ■ | | | ■ | |
| New Mexico | | | | | | | | | | |
| GJ District | VA | | ■ | ■ | | | VA | ■ | ■ | ■ |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Metropolitan/Bernalillo County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ■ |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | | | |
| GJ Supreme | ■ | ■ | ■ | | ■ | ■ | VA | | ■ | |
| GJ County | ■ | ■ | ■ | | ■ | ■ | VA | | ■ | |
| GJ Claims | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | ■ | ~ |
| LJ Surrogates' | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | ■ | ~ |
| LJ Family | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | ■ | ~ |
| LJ District and City | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | ■ | ~ |
| LJ NYC Civil | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | ■ | ~ |
| LJ NYC Criminal | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | ■ | ~ |
| LJ Town & Village Justice | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| North Carolina | | | | | | | | | | |
| GJ Superior | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| LJ District | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| North Dakota | | | | | | | | | | |
| GJ District | ■ | ■ | ■ | | | | ■ | ■ | ■ | |
| LJ Municipal | ■ | ■ | ■ | | ■ | | | | ■ | |
| Ohio | | | | | | | | | | |
| GJ Common Pleas | | | ■ | | | | ■ | ■ | ■ | |
| LJ Municipal | ■ | | ■ | | | | ■ | ■ | ■ | |
| LJ County | ■ | | ■ | | | | | | ■ | |
| LJ Claims | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |
| LJ Mayor's | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

| | Marriage licenses | | Mortgage records | | Record/Maintain conveyance records | | Repository of birth certificates | | Supervise court reporters | |
|-----------------------------------|-------------------|-----|------------------|-----|------------------------------------|-----|----------------------------------|-----|---------------------------|-----|
| | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Montana | | | | | | | | | | |
| GJ District | ■ | | | | | | | | | |
| GJ Workers' Compensation | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| GJ Water | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ Justice of the Peace | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ Municipal | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ City | | ~ | | ~ | | ~ | | ~ | | ~ |
| Nebraska | | | | | | | | | | |
| GJ District | | | | | | | | | | ■ |
| LJ Separate Juvenile | | | | | | | | | | |
| LJ County | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Workers' Compensation | | | | | | | | | | |
| Nevada | | | | | | | | | | |
| GJ District | | | | | | | | | ■ | ■ |
| LJ Justice | | | | | | | | | | |
| LJ Municipal | | | | | | | | | | |
| New Hampshire | | | | | | | | | | |
| GJ Superior | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ District | | | | | | | | | | |
| LJ Probate | | | | | | | | | | ■ |
| New Jersey | | | | | | | | | | |
| GJ Superior | | | | | | | | | | ■ |
| LJ Tax | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ Municipal | | | | | | | | | | |
| New Mexico | | | | | | | | | | |
| GJ District | | | | | | | | | VA | ■ |
| LJ Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Metropolitan/Bernalillo County | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| New York | | | | | | | | | | |
| GJ Supreme | | | | | | | | | ■ | ■ |
| GJ County | | | | | | | | | ■ | ■ |
| GJ Claims | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Surrogates' | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Family | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ District and City | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ NYC Civil | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ NYC Criminal | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Town & Village Justice | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| North Carolina | | | | | | | | | | |
| GJ Superior | | | | | | | | | | ■ |
| LJ District | | | | | | | | | | ■ |
| North Dakota | | | | | | | | | | |
| GJ District | | | ■ | | | | | | | ■ |
| LJ Municipal | | | | | | | | | | |
| Ohio | | | | | | | | | | |
| GJ Common Pleas | ■ | | | | | | | ■ | ■ | ■ |
| LJ Municipal | | | | | | | | | ■ | ■ |
| LJ County | | | | | | | | | ■ | ■ |
| LJ Claims | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Mayor's | | ~ | | ~ | | ~ | | ~ | ■ | ~ |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■ =Yes

| | | Caseflow management | | Collect fines and fees | | Courthouse facilities management | | Jury selection | | Maintain the court record | |
|-----------------------|-----------------------------|---------------------|-----|------------------------|-----|----------------------------------|-----|----------------|-----|---------------------------|-----|
| | | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Oklahoma | | | | | | | | | | | |
| GJ | District | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Tax Review | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Oregon | | | | | | | | | | | |
| GJ | Circuit | ~ | ■ | ~ | ■ | ~ | ~ | ~ | ■ | ~ | ■ |
| GJ | Tax | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ~ | ~ | ■ |
| LJ | County | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S |
| LJ | Justice | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Pennsylvania | | | | | | | | | | | |
| GJ | Common Pleas | | ■ | ■ | | | ■ | ■ | ■ | ■ | |
| LJ | Philadelphia Municipal | | ■ | ■ | | | ■ | ■ | ■ | ■ | |
| LJ | Magisterial District Judges | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ~ | ~ | |
| LJ | Philadelphia Traffic | ~ | ■ | ~ | | ~ | ■ | ~ | ~ | ~ | |
| Puerto Rico | | | | | | | | | | | |
| GJ | First Instance | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | | | | | | |
| GJ | Superior | | ■ | ■ | | | | | ■ | ■ | ■ |
| LJ | Workers' Compensation | | ■ | ■ | ■ | | | | | ■ | ■ |
| LJ | District | ■ | ■ | ■ | ■ | | | | | ■ | ■ |
| LJ | Family | ■ | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ |
| LJ | Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Traffic Tribunal | ■ | ■ | ■ | ■ | | | | | ■ | ■ |
| South Carolina | | | | | | | | | | | |
| GJ | Circuit | | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| LJ | Family | | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| LJ | Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| South Dakota | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| LJ | Magistrate | ■ | ■ | ■ | | ■ | ■ | ■ | ■ | ■ | |
| Tennessee | | | | | | | | | | | |
| GJ | Circuit | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| GJ | Chancery | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| GJ | Criminal | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| GJ | Probate | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ | Juvenile | ■ | N/S | ■ | N/S | | N/S | | N/S | ■ | N/S |
| LJ | Municipal | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |
| LJ | General Sessions | ■ | ■ | ■ | | | | | | ■ | |
| Texas | | | | | | | | | | | |
| GJ | District | | ■ | ■ | | | | ■ | | ■ | |
| LJ | County-level | | ■ | ■ | | | | ■ | | ■ | |
| LJ | Justice of the Peace | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ | Municipal | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| Utah | | | | | | | | | | | |
| GJ | District | ■ | ■ | ■ | ■ | | ■ | ■ | | ■ | ■ |
| LJ | Justice | ~ | VA | ~ | VA | ~ | VA | ~ | VA | ~ | VA |
| LJ | Juvenile | ■ | ■ | ■ | ■ | | ■ | ~ | ~ | ■ | ■ |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■ =Yes

| | | Marriage licenses | | Mortgage records | | Record/Maintain conveyance records | | Repository of birth certificates | | Supervise court reporters | |
|-----------------------|-----------------------------|-------------------|-----|------------------|-----|------------------------------------|-----|----------------------------------|-----|---------------------------|-----|
| | | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Oklahoma | | | | | | | | | | | |
| GJ | District | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal of Record | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Tax Review | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Oregon | | | | | | | | | | | |
| GJ | Circuit | ~ | | ~ | | ~ | | ~ | | ~ | ■ |
| GJ | Tax | ~ | | ~ | | ~ | | ~ | | ~ | ■ |
| LJ | County | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S |
| LJ | Justice | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S | ~ | N/S |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Pennsylvania | | | | | | | | | | | |
| GJ | Common Pleas | ■ | | ■ | | ■ | | | | | ■ |
| LJ | Philadelphia Municipal | | | | | | | | | | ■ |
| LJ | Magisterial District Judges | ~ | | ~ | | ~ | | ~ | | ~ | |
| LJ | Philadelphia Traffic | ~ | | ~ | | ~ | | ~ | | ~ | ■ |
| Puerto Rico | | | | | | | | | | | |
| GJ | First Instance | NR | NR | NR | NR | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | | | | | | |
| GJ | Superior | | | | | | | | | | ■ |
| LJ | Workers' Compensation | | | | | | | | | | ■ |
| LJ | District | | | | | | | | | ■ | ■ |
| LJ | Family | | | | | | | | | | ■ |
| LJ | Probate | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Traffic Tribunal | | | | | | | | | ■ | ■ |
| South Carolina | | | | | | | | | | | |
| GJ | Circuit | | ~ | ■ | ~ | ■ | ~ | | ~ | | ~ |
| LJ | Family | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ | Magistrate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| LJ | Municipal | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ |
| South Dakota | | | | | | | | | | | |
| GJ | Circuit | ■ | | | | ■ | | | | | ■ |
| LJ | Magistrate | ■ | | | | ■ | | | | | |
| Tennessee | | | | | | | | | | | |
| GJ | Circuit | | ~ | | ~ | | ~ | | ~ | | ~ |
| GJ | Chancery | | ~ | | ~ | | ~ | | ~ | | ~ |
| GJ | Criminal | | ~ | | ~ | | ~ | | ~ | | ~ |
| GJ | Probate | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ | Juvenile | | N/S | | N/S | | N/S | | N/S | | N/S |
| LJ | Municipal | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ | General Sessions | | | | | | | | | | |
| Texas | | | | | | | | | | | |
| GJ | District | | | | | | | | | | |
| LJ | County-level | | | | | | | ■ | | | |
| LJ | Justice of the Peace | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ | Municipal | | ~ | | ~ | | ~ | | ~ | | ~ |
| Utah | | | | | | | | | | | |
| GJ | District | | ■ | | | | | | | | |
| LJ | Justice | ~ | VA | ~ | VA | ~ | VA | ~ | VA | ~ | VA |
| LJ | Juvenile | | | | | ■ | | | | | |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~=Not applicable; ■=Yes

| | | Caseflow management | | Collect fines and fees | | Courthouse facilities management | | Jury selection | | Maintain the court record | |
|----------------------|-----------------|---------------------|-----|------------------------|-----|----------------------------------|-----|----------------|-----|---------------------------|-----|
| | | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Vermont | | | | | | | | | | | |
| GJ | Superior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| GJ | District | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| GJ | Family | ■ | ■ | ■ | ■ | ■ | ■ | | | ■ | ■ |
| LJ | Probate | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | ■ | ~ |
| LJ | Environmental | ■ | ■ | ■ | ■ | ■ | ■ | | | ■ | ■ |
| LJ | Judicial Bureau | ■ | ■ | ■ | ■ | ■ | ■ | | | ■ | ■ |
| Virginia | | | | | | | | | | | |
| GJ | Circuit | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ | District | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |
| Washington | | | | | | | | | | | |
| GJ | Superior | | ■ | ■ | | | ■ | ■ | ■ | ■ | ■ |
| LJ | District | | ■ | | ■ | | ■ | | ■ | | ■ |
| LJ | Municipal | | ■ | | ■ | | ■ | | ■ | | ■ |
| West Virginia | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | | | ■ | ■ | ■ | ■ | ~ |
| LJ | Magistrate | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ | Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ | Family | | | ■ | | | ■ | | | ■ | |
| Wisconsin | | | | | | | | | | | |
| GJ | Circuit | ■ | ■ | ■ | | ■ | | ■ | | | ■ |
| LJ | Municipal | ■ | ■ | ■ | ■ | | ■ | | | ■ | ■ |
| Wyoming | | | | | | | | | | | |
| GJ | District | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ | ■ | ~ |
| LJ | Circuit | ■ | ~ | ■ | ~ | | ~ | ■ | ~ | ■ | ~ |
| LJ | Municipal | ■ | ~ | ■ | ~ | | ~ | | ~ | ■ | ~ |

Table 30. Clerk of Court and Trial Court Administrator (TCA) Responsibilities by Selected Function

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; TCA=Trial court administrator; VA=Varies; NR=No response; N/S=Not stated; ~ =Not applicable; ■=Yes

| | Marriage licenses | | Mortgage records | | Record/Maintain conveyance records | | Repository of birth certificates | | Supervise court reporters | |
|----------------------|-------------------|-----|------------------|-----|------------------------------------|-----|----------------------------------|-----|---------------------------|-----|
| | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA | Clerk | TCA |
| Vermont | | | | | | | | | | |
| GJ Superior | | | | | | | | | ■ | ■ |
| GJ District | | | | | | | | | ■ | ■ |
| GJ Family | | | | | | | | | ■ | ■ |
| LJ Probate | | ~ | | ~ | | ~ | | ~ | ■ | ~ |
| LJ Environmental | | | | | | | | | ■ | ■ |
| LJ Judicial Bureau | | | | | | | | | ■ | ■ |
| Virginia | | | | | | | | | | |
| GJ Circuit | ■ | ~ | ■ | ~ | ■ | ~ | | ~ | | ~ |
| LJ District | | ~ | | ~ | | ~ | | ~ | | ~ |
| Washington | | | | | | | | | | |
| GJ Superior | | | | | | ■ | | | | ■ |
| LJ District | | | | | | | | | | |
| LJ Municipal | | | | | | | | | | |
| West Virginia | | | | | | | | | | |
| GJ Circuit | ■ | | ■ | | ■ | | ■ | | | |
| LJ Magistrate | | ~ | | ~ | ■ | ~ | | ~ | | ~ |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Family | | | | | | | | | | |
| Wisconsin | | | | | | | | | | |
| GJ Circuit | | | | | | | | | | VA |
| LJ Municipal | | | | | | | | | | |
| Wyoming | | | | | | | | | | |
| GJ District | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ Circuit | | ~ | | ~ | | ~ | | ~ | | ~ |
| LJ Municipal | | ~ | | ~ | | ~ | | ~ | | ~ |

Table 31. Specialized Jurisdiction: Problem Solving Courts

Legend: NR=No response; N/S=Not stated

| | Type and number of problem solving courts | | | | | | |
|----------------------|---|------------------|-------------------|------------------|-----------------|-----------------|-------------------|
| | Community | Drug | Domestic violence | Family | Mental health | Re-entry | Other |
| Alabama | 0 | 33 | 3 | 16 | 2 | 0 | 0 |
| Alaska | 0 | 6 | 0 | 1 | 2 | 0 | 0 |
| Arizona | 0 | 17 | 4 | 3 | 5 | 0 | 18 ¹ |
| Arkansas | 0 | 25 | 0 | 0 | 0 | 0 | 0 |
| California | 5 | 150 | 33 | 5 | 19 | 1 | 29 ² |
| Colorado | NR | NR | NR | NR | NR | NR | NR |
| Connecticut | 2 | 3 ³ | 3 ³ | 0 | 0 | 0 | 0 |
| Delaware | 0 | 17 | 0 | 3 | 1 | 2 | 0 |
| District of Columbia | 1 | 3 | 1 | 1 | N/S | 0 | 0 |
| Florida | 1 | 85 | 0 | 0 | 0 | 0 | 0 |
| Georgia | 1 | 33 | 0 | 1 | 6 | 0 | 3 ⁴ |
| Hawaii | 0 | 9 | 0 | 4 | 1 | 0 | 1 ⁵ |
| Idaho | 0 | 38 | 1 | 0 ⁶ | 3 | 1 | 0 |
| Illinois | 0 | 19 | 2 | 0 | 0 | 0 | 0 |
| Indiana | 0 | 22 | 3 | 0 ⁷ | 0 | 2 | 0 |
| Iowa | 0 | 6 | 0 | 0 | 0 | 0 | 0 |
| Kansas | 0 | 5 | 0 | 0 | 0 | 0 | 0 |
| Kentucky | 0 | 58 | 0 | 21 | 0 | 0 | 0 |
| Louisiana | 0 | 39 | 0 | 0 | 0 | 2 | 0 |
| Maine | 0 | 12 | 5 | 0 | 0 | 0 | 0 |
| Maryland | 0 | 11 | 0 | 0 ⁸ | 1 | 0 | 0 |
| Massachusetts | 0 | 17 | 1 | 0 | 0 | 0 | 1 ⁹ |
| Michigan | 0 | 51 | 4 | 0 | 0 | 0 | 0 |
| Minnesota | 0 | 8 | 2 | 1 | 1 | 2 | 4 |
| Mississippi | 0 | 4 | 11 | 0 | 0 | 0 | 0 |
| Missouri | 0 | 90 | 0 | 12 | 8 | 0 | 4 ¹⁰ |
| Montana | 0 | 10 | 0 | 0 | 1 | 0 | 0 |
| Nebraska | 0 | 9 | 0 | 2 | 0 | 0 | 0 |
| Nevada | 0 | 17 | 0 | 3 | 2 | 2 | 0 |
| New Hampshire | 0 | 7 | 0 | 8 | 1 | 0 | 0 |
| New Jersey | 0 | 21 | 0 | 0 | 0 | 0 | 0 |
| New Mexico | 0 | 29 | 2 | 0 | 3 | 0 | 0 |
| New York | 3 | 124 | 15 | 0 | 5 | 0 | 18 ¹¹ |
| North Carolina | 0 | 31 | 0 | 9 | 1 | 0 | 0 |
| North Dakota | 0 | 7 | 0 | 0 | 0 | 0 | 0 |
| Ohio | 0 | 47 | 1 | 14 | 24 | 0 | 3 ¹² |
| Oklahoma | NR | NR | NR | NR | NR | NR | NR |
| Oregon | 4 | 27 ¹³ | 6 | 10 ¹³ | 5 ¹⁴ | 0 | 1 ¹⁵ |
| Pennsylvania | 6 | 15 | 3 | 0 | 4 | 0 | 1 ¹⁶ |
| Puerto Rico | 0 | 7 | 0 | 0 | 0 | 0 | 0 |
| Rhode Island | 0 | 8 | 4 | Statewide | 1 | 1 | 3 ¹⁷ |
| South Carolina | 0 | 20 | 13 | 0 | 4 | 0 | 1 ¹⁸ |
| South Dakota | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tennessee | 0 | 23 | 0 | 0 | 1 | 0 | 0 |
| Texas | 2 | 44 | 6 | 15 | 2 | 1 | 108 ¹⁹ |
| Utah | 0 | 23 | 1 | 0 | 1 | 0 | 0 |
| Vermont | 0 | 3 | 0 | 14 | 1 | 0 | 0 |
| Virginia | 0 | 29 | 0 | 0 | 1 | 0 | 0 |
| Washington | 0 | 29 | 3 | 3 | 4 | 0 | 0 |
| West Virginia | 0 | 7 | 0 | 55 | 5 | 0 ²⁰ | 0 |
| Wisconsin | 0 | 7 | 1 | 1 | 0 | 0 | 29 ²¹ |
| Wyoming | NR | NR | NR | NR | NR | NR | NR |

Table 31. Specialized Jurisdiction: Problem Solving Courts**FOOTNOTES:****Arizona:**

¹ The "other" category includes 10 Teen Courts, two Truancy Courts, three Child Support Courts, one Homeless Court, one Veteran's Court, and one Probation Violation Court.

California:

² The "other" category includes eight Homeless Courts, four Elder Courts, 15 Peer/Teen Courts, and one Truancy Court.

Connecticut:

³ Connecticut refers to drug and domestic violence courts as "dockets" and not specifically as problem solving courts but included them because of their integrative properties and treatment component.

Georgia:

⁴ The "other" category includes DUI Courts.

Hawaii:

⁵ The "other" category includes a Girls' Court and a Business Court.

Idaho:

⁶ Youth Courts and coordinated family services (operational in all counties of the state, although not specifically listed under family problem-solving courts) include parent education, mediation, ADR assessments, supervised access and visitation, and court assistance officers for pro se litigants; most with a full range of services and forms.

Indiana:

⁷ There are "Family Court Projects" in 18 counties.

Maryland:

⁸ Maryland has family court divisions in all large jurisdictions with five or more judges. All other jurisdictions have family law programs that are specific to these matters. These localities were not listed.

Massachusetts:

⁹ The "other" category includes Business Court.

Missouri:

¹⁰ The "other" category includes two Child Support Courts and two Driving While Suspended/Driving While Revoked Courts.

New York:

¹¹ New York has Domestic Violence Courts and Integrated Domestic Violence Courts. The latter are recorded under the "other" category.

Ohio:

¹² The "other" category includes DUI Courts.

Oregon:

¹³ One Family Court is also a Family Drug Court and is counted in both categories.

¹⁴ Mental Health Courts include a Co-occurring Disorders Court.

¹⁵ The "other" category includes DUI Courts.

Pennsylvania:

¹⁶ The "other" category includes Truancy Courts.

Rhode Island:

¹⁷ The "other" category includes Gun Court, Business Calendar, and Truancy Court.

South Carolina:

¹⁸ The "other" category includes Civil Abuse and Neglect Courts.

Texas:

¹⁹ All numbers are tentative except for Drug Courts and Family Courts. Family Court numbers refer to Child Protection Courts. The "other" category includes Teen Courts.

West Virginia:

²⁰ There are no Reentry Courts in West Virginia, but there is a juvenile reentry program in 10 counties.

Wisconsin:

²¹ The "other" category includes Teen Courts.

Table 32. Specialized Court Jurisdiction: Family Courts

Legend: N/S=Not stated; ■=Yes (blank spaces indicate that the court does not have jurisdiction for that case type)

Note: Only those States with Family Courts are included in this table.

| | Court (year founded) | Locality | Domestic relations jurisdiction | | | | | | |
|----------------------|------------------------------|---------------------------|---------------------------------|-----------|---------------------|---------|----------|------------------|-----------------|
| | | | Marriage dissolution | Paternity | Custody/ Visitation | Support | Adoption | Protection order | Other |
| Alabama | Circuit (varies) | 8 circuits | ■ | | ■ | ■ | | | ■ ¹ |
| Arizona | Superior (N/S) | 1 county | ■ | ■ | ■ | ■ | | ■ | |
| California | Superior (N/S) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| Colorado | District (1997) | 3 districts | ■ | ■ | ■ | ■ | ■ | ■ | |
| Delaware | Independent (1971) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| District of Columbia | Superior (1970) ³ | District | ■ | ■ | ■ | ■ | ■ | ■ | |
| Florida | Circuit (1992) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| Georgia | Superior (1998) | 1 county | ■ | ■ | ■ | ■ | ■ | ■ | |
| Hawaii | Circuit (1965) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| Illinois | Circuit (1986) | 1 county | ■ | | ■ | ■ | | ■ | |
| Indiana ⁹ | Trial courts (2001) | 17 counties | | ■ | | | | | |
| Kentucky | Circuit (1991) ¹¹ | 42 counties | ■ | ■ | ■ | ■ | ■ | ■ | |
| Louisiana | District (1954) | 3 Parishes | ■ | ■ | ■ | ■ | | | |
| Maine | District (1998) | Statewide | ■ | ■ | | ■ | | ■ | |
| Maryland | Circuit (1997) | 5 counties ¹³ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Massachusetts | Independent (1978) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | ■ ¹⁵ |
| Michigan | Circuit (1998) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| Minnesota | District (1971) | 2 districts | ■ | ■ | | | | | |
| Mississippi | District (N/S) | 1 county | ■ | | | ■ | ■ | | |
| Missouri | Circuit (1993) | 12 counties | ■ | ■ | ■ | ■ | ■ | ■ | |
| Nevada | District (1991) | 2 districts | ■ | ■ | ■ | ■ | ■ | ■ | |
| New Hampshire | Independent (1996) | 2 counties | ■ | ■ | ■ | ■ | ■ | ■ | |
| New Jersey | Superior (1983) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | ■ ²² |
| New Mexico | District (N/S) | 3 districts ²³ | ■ | ■ | ■ | ■ | | ■ | |
| New York | Independent (1962) | Statewide | | ■ | ■ | ■ | | | |
| North Carolina | District (1999) | 16 counties | ■ | ■ | ■ | ■ | ■ | ■ | |
| Ohio ²⁶ | Common Pleas (1953) | 83 counties | | | | | | | ■ ²⁶ |
| Oklahoma | District (1997) | 2 districts | ■ | ■ | ■ | ■ | | | |
| Oregon | Circuit (1993) | 8 counties ²⁷ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Pennsylvania | Common Pleas (1978) | Local | ■ | ■ | ■ | ■ | ■ | ■ | |
| Rhode Island | Independent (1961) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| South Carolina | Independent (1977) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| Vermont | Independent (1990) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| Washington | Superior (1949) | Statewide | ■ | ■ | ■ | ■ | ■ | ■ | |
| West Virginia | Circuit (2002) | Statewide | ■ | ■ | ■ | ■ | | ■ | |

FOOTNOTES:

Alabama:

¹ Other domestic relations jurisdiction includes all other domestic and marital matters over which the Circuit Court has jurisdiction.

Delaware:

² Other criminal jurisdiction includes criminal non-support.

District of Columbia:

³ The Family Court Act of 2001 resulted in a substantial reform of the Family Division and re-designation of the Family Division as the Family Court. Moreover, the Act fundamentally changed the manner in which the Superior Court manages its family cases by establishing the position of magistrate judge, requiring a one family-one judge approach, and requiring longer terms of service for judges who serve on the Family Court. Notwithstanding these sweeping changes, the jurisdiction of the new Family Court remains the same.

⁴ Other probate jurisdiction includes name changes, and other criminal jurisdiction includes criminal non-support.

Florida:

⁵ Other probate jurisdiction includes name changes.

Georgia:

⁶ Other criminal jurisdiction includes criminal non-support and legitimacy child molestation.

Hawaii:

⁷ Other juvenile jurisdiction includes juvenile law violations and status offenses, other probate jurisdiction includes withholding or withdrawal of life-sustaining medical procedures, and other criminal jurisdiction includes family-related crimes.

Illinois:

⁸ Other juvenile jurisdiction includes juvenile delinquency.

Table 32. Specialized Court Jurisdiction: Family Courts

Legend: N/S=Not stated; ■=Yes (blank spaces indicate that the court does not have jurisdiction for that case type)

Note: Only those States with Family Courts are included in this table.

| | Juvenile jurisdiction | | | | Probate jurisdiction | | Civil jurisdiction | Criminal jurisdiction | |
|----------------------|-----------------------|------------|-----------------------------------|-----------------|----------------------|-----------------|--------------------|-----------------------|-----------------|
| | Abuse/ Neglect | Dependency | Termination of parental rights | Other | Guardianship | Other | Mental health | Domestic violence | Other |
| Alabama | | | | | | | | | |
| Arizona | | | | | | | | | |
| California | | ■ | ■ | | ■ | | | | |
| Colorado | ■ | ■ | ■ | | | | | | |
| Delaware | ■ | ■ | ■ | | ■ | | | ■ | ■ ² |
| District of Columbia | ■ | ■ | ■ | | ■ | ■ ⁴ | | | ■ ⁴ |
| Florida | | | | | | ■ ⁵ | | | |
| Georgia | ■ | ■ | ■ | | ■ | | | | ■ ⁶ |
| Hawaii | ■ | ■ | ■ | | ■ | ■ ⁷ | ■ | ■ | ■ ⁷ |
| Illinois | ■ | | | ■ ⁸ | | | | | |
| Indiana | | ■ | | ■ ¹⁰ | | | | | |
| Kentucky | ■ | ■ | ■ | ■ ¹² | | | | | |
| Louisiana | | | | | | | | | |
| Maine | | | ■ | | | | | | |
| Maryland | | ■ | ■ | | ■ | | | ■ | ■ ¹⁴ |
| Massachusetts | | ■ | ■ | | ■ | ■ ¹⁵ | | | |
| Michigan | | ■ | ■ | ■ ¹⁶ | ■ | ■ ¹⁶ | | | ■ ¹⁶ |
| Minnesota | | | | | | | | | ■ ¹⁷ |
| Mississippi | | | | | | ■ ¹⁸ | ■ | | |
| Missouri | ■ | ■ | ■ | ■ ¹⁹ | | ■ ¹⁹ | | | ■ ¹⁹ |
| Nevada | ■ | ■ | ■ | | ■ | ■ ²⁰ | | | ■ ²⁰ |
| New Hampshire | ■ | ■ | ■ | ■ ²¹ | ■ | ■ ²¹ | | | |
| New Jersey | ■ | ■ | ■ | ■ ²² | | | | | ■ ²² |
| New Mexico | | | ■ | | | | | ■ | |
| New York | ■ | ■ | ■ | ■ ²⁴ | | | ■ | | |
| North Carolina | ■ | | ■ | ■ ²⁵ | ■ | | ■ | | |
| Ohio | | | | ■ ²⁶ | | ■ ²⁶ | | | |
| Oklahoma | | | ■ | | | | | | |
| Oregon | ■ | ■ | ■ | | ■ | | ■ | ■ | |
| Pennsylvania | ■ | ■ | ■ | ■ ²⁸ | | | | | |
| Rhode Island | | ■ | ■ | ■ ²⁹ | ■ | ■ ²⁹ | ■ | | ■ ²⁹ |
| South Carolina | ■ | | ■ | ■ ³⁰ | | ■ ³⁰ | | | ■ ³⁰ |
| Vermont | ■ | ■ | ■ | | | ■ ³¹ | ■ | | ■ ³¹ |
| Washington | ■ | ■ | ■ | | | | ■ | ■ | |
| West Virginia | | | | | | | | | |

Indiana:
⁹ In 2001, Indiana initiated the "Family Court Project," which links cases involving a family or household for purposes of case coordination. The individual cases maintain their separate integrity and separate docket number, but may be given a common family court designation. The individual cases may all be transferred to one judge, or may remain in the separate courts in which they were originally filed. Currently, 17 counties participate.
¹⁰ Other juvenile jurisdiction includes juvenile delinquency and status offenses.

Kentucky:
¹¹ With an affirmative vote from the public, Family Court became a constitutional division of Circuit Court in 2002.
¹² Other juvenile jurisdiction includes status offenses.

Maryland:
¹³ There are family coordinators in the remaining 19 counties. All family matters are heard in the Circuit Courts.
¹⁴ Other criminal jurisdiction is criminal non-support.

Massachusetts:
¹⁵ Other domestic relations jurisdiction includes general equity and real property partitions. Other probate jurisdiction includes probate of wills, administration of trusts and estates, appointment of conservators, and name changes.

Michigan:
¹⁶ Other juvenile jurisdiction includes minor abortions, other probate jurisdiction includes name changes, and other criminal jurisdiction includes criminal non-support.

Minnesota:
¹⁷ Other criminal jurisdiction includes criminal non-support.

Mississippi:
¹⁸ Other probate jurisdiction includes estates, name changes, and insurance settlements to minors.

Table 32. Specialized Court Jurisdiction: Family Courts

Missouri:

¹⁹ Other juvenile jurisdiction includes status offenses and delinquency. Other probate jurisdiction includes name changes. Other criminal jurisdiction includes misdemeanors, as transferred.

Nevada:

²⁰ Other probate jurisdiction includes name changes and other criminal jurisdiction includes criminal non-support.

New Hampshire:

²¹ Other juvenile jurisdiction includes juvenile delinquency and other probate jurisdiction includes name changes.

New Jersey:

²² Other domestic relations jurisdiction includes termination of domestic partnerships. Other juvenile jurisdiction includes juvenile delinquency. Other criminal jurisdiction includes criminal non-support, violation of certain restraining orders, and interference with custody.

New Mexico:

²³ Currently requesting three new judges in the upcoming legislature session to serve as Family Court Judges.

New York:

²⁴ Other juvenile jurisdiction includes juvenile delinquency.

North Carolina:

²⁵ Other juvenile jurisdiction includes juvenile delinquency and abortion consent waivers.

Ohio:

²⁶ Specific case type jurisdiction not stated, but there are 19 courts with domestic relations jurisdiction only, six courts with domestic relations and juvenile jurisdiction, 11 courts with juvenile jurisdiction only, 64 courts with juvenile and probate jurisdiction, and three courts with domestic relations, juvenile, and probate jurisdiction.

Oregon:

²⁷ Nineteen of 27 districts have family law facilitation programs (to help litigants, especially pro se) navigate the system.

Pennsylvania:

²⁸ Other juvenile jurisdiction includes juvenile delinquency.

Rhode Island:

²⁹ Other juvenile jurisdiction includes requests by minors for abortion. Other probate jurisdiction includes name changes and withholding or withdrawal of life-sustaining medical procedures, and other criminal jurisdiction includes criminal non-support.

South Carolina:

³⁰ Other juvenile jurisdiction includes juvenile delinquency and abortions for minors, other probate jurisdiction includes name changes, and other criminal jurisdiction includes criminal non-support.

Vermont:

³¹ Other probate jurisdiction includes name changes, and other criminal jurisdiction includes criminal non-support.

Table 33. Tribal Courts

Legend: ~ = Not applicable

Note: Only those States with federally recognized tribes are included in this table.

| | Number of: | | | State jurisdiction under Public Law 280 ⁴ | Treatment "as if" under Public Law 280 ⁵ |
|----------------|--|------------------------------------|-------------------------|---|---|
| | Federally recognized tribes ¹ | Tribal justice forums ² | CFR courts ³ | | |
| Alabama | 1 | 1 | ~ | ~ | ~ |
| Alaska | 225 | 32 | ~ | Mandatory ⁶ | ~ |
| Arizona | 20 | 37 | ~ | Optional ⁷ | ~ ⁸ |
| California | 105 | 9 | 1 | Mandatory | ~ |
| Colorado | 2 | 2 | 1 | ~ | Parts of the Southern Ute Reservation ⁹ |
| Connecticut | 2 | 5 | ~ | ~ | Mashentucket Pequot Tribe ¹⁰ |
| Florida | 2 | 2 | ~ | Optional ¹¹ | ~ |
| Idaho | 5 | 5 | ~ | Optional ¹² | ~ |
| Iowa | 1 | 1 | ~ | Optional ¹³ | ~ |
| Kansas | 4 | 4 | ~ | ~ | Statewide ¹⁴ |
| Louisiana | 4 | 3 | ~ | ~ | ~ |
| Maine | 4 | 4 | ~ | ~ | Passamaquoddy, Penobscot, and Houlton Tribes ¹⁵ |
| Massachusetts | 1 | 1 | ~ | ~ | Gay Head Wampanoag Tribe ¹⁶ |
| Michigan | 12 | 14 | ~ | ~ | ~ |
| Minnesota | 6 | 15 | ~ | Mandatory ¹⁷ (except Red Lake) | ~ |
| Mississippi | 1 | 1 | ~ | ~ | ~ |
| Montana | 7 | 7 | ~ | Optional ¹⁸ | ~ |
| Nebraska | 4 | 3 | ~ | Mandatory ¹⁹ | ~ |
| Nevada | 17 | 17 | 2 | Optional ²⁰ | ~ |
| New Mexico | 21 | 25 | ~ | ~ | ~ |
| New York | 7 | 8 | ~ | ~ | Statewide ²¹ |
| North Carolina | 1 | 2 | 1 | ~ | ~ |
| North Dakota | 4 | 5 | ~ | Optional ²² | ~ |
| Oklahoma | 38 | 39 | 17 | ~ | ~ |
| Oregon | 9 | 10 | ~ | Mandatory ²³ (except Warm Springs Reservation) | Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians; ²⁴ Confederated Tribes of the Grand Ronde Community of Oregon; ²⁵ Klamath Tribe; ²⁶ Coquille Tribe ²⁷ |
| Rhode Island | 1 | 1 | ~ | ~ | Narragansett Tribe ²⁸ |
| South Carolina | 1 | 1 | ~ | ~ | ~ |
| South Dakota | 8 | 8 | ~ | Optional ²⁹ | ~ |
| Texas | 3 | 3 | ~ | ~ | Ysleta Del Sur Pueblo; ³⁰ Alabama and Coshatta Tribe; ³¹ Texas Band of Kickapoo Indians ³² |
| Utah | 5 | 3 | 1 | Optional ³³ | ~ |
| Washington | 29 | 28 | ~ | Optional ³⁴ | ~ |
| Wisconsin | 11 | 11 | ~ | Mandatory (except Menominee) ³⁵ | ~ |
| Wyoming | 2 | 1 | ~ | ~ | ~ |
| Totals: | 562 | 309 | 23 | ~ | ~ |

Table 33. Tribal Courts

FOOTNOTES:

¹ The number of Federally Recognized Tribes was obtained from the Federal Register (67 F.R. 46327), July 12, 2002. Transtate tribes are counted in the state where the tribal office or capital is located.

² The number of tribal justice forums was compiled from the National American Indian Court Judges Association (NAICJA) database of all known tribal justice forums operating in the United States. These may include "...traditional forums for dispute resolution, trial courts, appellate courts, alternative dispute resolution systems, and inter-tribal systems established by inherent tribal authority whether or not they constitute a court or record." In some cases a court serves more than one tribe; in other cases a tribal justice system contains more than one type of justice forum. Appellate courts are not consistently listed separately in the database.

³ Court of Indian Offenses (CFR) are "federally recognized" and were established by the Department of the Interior in 1884. These courts are held to be instrumentalities of the federal government.

⁴ For most of Indian Country, in terms of area and population, the Department of Justice provides general felony law enforcement concerning crimes by or against Indians. Tribal law enforcement agencies act as first responders to felony and misdemeanor crime. Further, tribal courts are vested with jurisdiction over crimes by Indians and have authority to stop, detain, and transport non-Indian offenders to federal or state law enforcement agencies. Other areas of Indian Country are under Public Law 280, which delegated general law enforcement authority over crimes by and against Indians to the states. In these areas, Indian tribes retain their original, inherent jurisdiction over misdemeanor crimes by Indians and may stop, detain, and transport other offenders to the relevant federal or state authorities. Public Law 280, enacted in 1953, was the first comprehensive federal legislation to introduce state criminal jurisdiction into Indian Country. Public Law 280 identified six "mandatory" states where state criminal jurisdiction over offenses by Indians would immediately supplant federal Indian Country criminal jurisdiction. It also identified optional states that were permitted to assume complete or partial jurisdiction over crimes committed by Indians within Indian Country. For more detailed information about the application of Public Law 280, see Carole Goldberg-Ambrose, *Planting Tail Feathers: Tribal Survival and Public Law 280* (UCLA American Studies Center: 1997)(with Tim Seward).

⁵ Since Public Law 280 was enacted, several land settlement, restoration, and recognition acts have provided for state jurisdiction "in accordance with" Public Law 280 (in mandatory states) or "as if" it had been properly assumed under Public Law 280 (in optional states). In some post-1953 federal statutes delegating jurisdiction to states, there is no reference to Public Law 280. Prior to Public Law 280 the following states were delegated similar jurisdiction: New York (civil and criminal statewide) and Kansas (criminal).

Alaska:

⁶ Concurrent jurisdiction is authorized over the Annette Islands Reservation by the Metlakatla Indian Community.

Arizona:

⁷ Arizona accepted jurisdiction over air and water pollution only. The state subsequently repealed the provision concerning water pollution because this jurisdiction is almost entirely regulatory in nature.

⁸ Jurisdiction was conferred upon Arizona over Pascua Yaqui Tribe, later retroceded (25 U.S.C. §1300f(c)).

Colorado:

⁹ The applicable statute is Pub.L.98-290, May 21, 1984, 98 Stat.201 Sec. 5.

Connecticut:

¹⁰ The applicable statute is 25 U.S.C. §1755.

Florida:

¹¹ Florida assumed full Public Law 280 jurisdiction, except for the Miccosukee Reserve Area Act of 1999 (16 U.S.C. § 410).

Idaho:

¹² Idaho accepted jurisdiction over seven subject areas and full Public Law 280 jurisdiction with tribal consent. Idaho Code §§67-5101 to 67-5103 (1963).

Iowa:

¹³ Iowa assumed civil jurisdiction over the Sac and Fox Reservation, Tama County. Partial criminal jurisdiction has been delegated to Iowa in an earlier and separate federal statute.

Kansas:

¹⁴ This includes Iowa Tribe of Kansas and Nebraska, Kickapoo of Kansas, Prairie Band of Potawatomi Indians, and Sac and Fox of Missouri.

Maine:

¹⁵ The applicable statute is 25 U.S.C. §1725.

Massachusetts:

¹⁶ The applicable statute is 25 U.S.C. §1771e.

Minnesota:

¹⁷ Jurisdiction over the Nett Lake reservation has been retroceded.

Montana:

¹⁸ In Montana, the governor was empowered to proclaim state criminal or civil jurisdiction at the request of any tribe and with the consent of affected counties. Tribal consent was revocable within two years of the governor's proclamation. Mont. Stat. Ann. §§2-1-301 through 2-1-306 (1963). The confederated Salish and Kootenai Tribes consented to jurisdiction under this provision, some of which was subsequently retroceded by the state.

Nebraska:

¹⁹ Jurisdiction over the Omaha and Winnebago reservations have been retroceded.

Nevada:

²⁰ Nevada originally accepted full Public Law 280 jurisdiction, but permitted individual counties to exclude themselves from acceptance of jurisdiction. This provision was amended in 1971 to require tribal consent. A 1975 amendment provided for retrocession except for those tribes already subject to the Act who consented to continue. Nev. Rev. Stat. §41.430 (1968). Jurisdiction now has been retroceded for most reservations.

New York:

²¹ Includes Cayuga Nation, Oneida Nation, Onondaga Nation, Seneca Nation, Tonawanda Band of Seneca Indians, Tuscarora Nation, and St. Regis Band of Mohawk Indians.

North Dakota:

²² North Dakota accepted civil jurisdiction only, subject to tribal or individual consent. N.D. Cent. Code §§27-19-01 to 27-10-13 (1963). Both the condition of individual acceptance and the condition of tribal acceptance (§§27-19-05, 27-19-06) have been declared invalid under federal law. Criminal jurisdiction over Devils Lake Reservation was delegated to North Dakota prior to Public Law 280 in a separate federal statute.

Oregon:

²³ Jurisdiction over the Umatilla reservation has been retroceded.

²⁴ The applicable statute is 25 U.S.C. §714e(c).

²⁵ The applicable statute is 25 U.S.C. §713f(c)(6).

²⁶ The applicable statute is 25 U.S.C. §566e.

²⁷ The applicable statute is 25 U.S.C. §715(d).

Rhode Island:

²⁸ The applicable statute is 25 U.S.C. §1708.

South Dakota:

²⁹ South Dakota assumed jurisdiction over criminal offenses and civil causes of action arising on highways, and conditioned acceptance of full Public Law 280 jurisdiction on federal government reimbursement to the state for the cost of the additional jurisdiction assumed. S.D. Compiled Laws Ann. §§1-1-12 to 1-1-21 (1957). This acceptance was ruled invalid in *Rosebud Sioux Tribe v. South Dakota*, 900 F.2d 1164 (8th Cir. 1990).

Texas:

³⁰ The applicable statute is 25 U.S.C. § 13009-4(f).

³¹ The applicable statute is 25 U.S.C. §736(f).

³² The applicable statute is 25 U.S.C. § 1300b-15.

Utah:

³³ In 1971, Utah passed legislation accepting jurisdiction subject to subsequent tribal consent. No tribe has consented.

Washington:

³⁴ Washington assumed full Public Law 280 jurisdiction over non-Indians and over Indians on trust land. Jurisdiction over Indians on trust land was limited to eight subject areas unless a tribe consents to full Public Law 280 jurisdiction. Wash. Rev. Code Ann. §§37.12.010, 37.12.21, 37.12.30, 37.12.40 (1963) – 37.12.050 and 37.12.070 (1957) (§37.12.020 repealed by Laws 1963, ch.36, §6). Washington has retroceded jurisdiction for a number of tribes, including the Port Madison Reservation, the Quinault Reservation, the Confederated Tribes of the Chehalis Reservation, Quileute Reservation and the Swinomish Tribal Community, and the Colville Tribe.

Wisconsin:

³⁵ Wisconsin retroceded jurisdiction over the Menominee Reservation in connection with the Menominee Restoration Act (Public Law 93-197).

Table 34. Cameras and Audio Coverage in the Courtroom

Legend: AS=Audio systems; SC=Still cameras; SP=Still photographers; TV=Television cameras; ~=Not applicable

Note: Only those States and courts that allow media coverage are included in this table.

| State- effective date/ court | Who must consent? | Who may object? | Effect of objection | Limitation on coverage | | |
|--|---|--|--|--|--|---|
| | | | | Cameras and audio | Type of proceedings | Type of participants |
| Alabama – 2/1/76 Appellate courts | Attorneys, parties present, and judge | Witness, attorney, party, or judge | Personal exclusion | 4 SP, 2 TV | ~ | Objecting participant |
| Trial courts | Judge, accused, prosecution, plaintiffs, and defendants | Witness, juror, attorney, or party | Personal exclusion | ~ | ~ | Objecting participant |
| Alaska ¹ – 1/15/90 All courts | Judge, victim, all parties in family proceedings | ~ | ~ | 2 AS, 2 SP, 2 TV | Conferences of counsel | Jurors, except for return of verdict |
| Arizona – 7/1/83 All courts | Judge | Party, witness | Judge's discretion | At judge's discretion | Juvenile court, adoption proceedings, conference of counsel | Adversely impacted witnesses, jurors |
| Arkansas – 3/8/82 Supreme, Appeals, and Circuit | Judge | Party, attorney, or witness | Total exclusion for party or attorney, personal exclusion for witness | 1 AS, 1 SP, 1 TV | Conferences of counsel, juvenile and domestic relations proceedings | Objecting witness, jurors, victims of sex offenses, undercover police, informants, minors without parental consent |
| California – 7/1/84 All courts | Judge | ~ | ~ | 1 SP, 1 TV | Proceedings held in chambers or closed to public, jury selection, conferences of counsel | Jurors, spectators |
| Colorado ² – 12/1/85 Supreme, Appeals, District, Denver Probate, Denver Juvenile, Water, and County | Judge | Witness, party | Judge's discretion | 1 AS, 1 SP, 1 TV (2 TV with permission) | Pretrial hearings other than advisements and arraignments, voir dire, conferences of counsel | Jury |
| Connecticut – 1982 Appellate courts | Appellate jurists | Counsel or pro se party of record | Decision to permit/ exclude coverage rests with the appellate jurists | 1 AS, 1 SC 1 TV | Limited to civil and criminal trials in the Supreme Court. Camera coverage is excluded from the following: family relations matters, cases involving trade secrets recess, cases involving sexual offense charges, cases closed to the public to comply with provisions of state law, during recesses, conferences of jurors | ~ |
| Superior | Administrative judge and trial judge | Participants in the trial | Trial judge may prohibit broadcasting, television, recording, or photographing of any participant at the trial | 1 AS, 1 SC 1 TV | Camera coverage is excluded from: family relations matters; sentencing hearings unless previously broadcast, televised, recorded, or photographed; trials involving trade secrets; in jury trials, all proceedings held in the absence of the jury; trials of sexual offense charges; trials of cases which were closed to the public to comply with the provisions of state law; during recesses; conferences of jurors | Jury |
| Delaware – 5/1/82 Supreme | None required | ~ | ~ | 1 AS, 1 SP, 1 TV | Family relations, Board on Professional Responsibility | ~ |

Table 34. Cameras and Audio Coverage in the Courtroom

Legend: AS=Audio systems; SC=Still cameras; SP=Still photographers; TV=Television cameras; ~ =Not applicable

Note: Only those States and courts that allow media coverage are included in this table.

| State- effective date/ court | Who must consent? | Who may object? | Effect of objection | Limitation on coverage | | |
|--------------------------------------|----------------------|--|---|---|--|--|
| | | | | Cameras and audio | Type of proceedings | Type of participants |
| Florida – 1/1/93 | | | | | | |
| Appellate courts | Judge | ~ | ~ | 1 AS, 2 SP, 2 TV | Conference of counsel | ~ |
| Trial courts | Judge | ~ | ~ | 1 AS, 1 SP, 1 TV | Conference of counsel | ~ |
| Georgia | | | | | | |
| Supreme – 5/12/77 | ~ | ~ | ~ | 4 SP, 4 TV | ~ | ~ |
| Superior and State – 5/12/77 | Judge | ~ | ~ | 1 AS, 1 SP, 1 TV | ~ | Jurors |
| Juvenile – 3/21/91 | Judge | ~ | ~ | 1 AS, 1 TV, 1 SP | ~ | Juvenile |
| Probate – 7/1/85 | Judge | ~ | ~ | 1AS, 1 TV, 1 SP | ~ | ~ |
| Magistrate – 12/19/02 | Judge | ~ | ~ | 1 AS, 1 TV, 1 SP | ~ | ~ |
| Hawaii ³ – 12/7/87 | | | | | | |
| Appellate courts | None required | Party, judge | Hearing | 1 AS, 1 SP, 1 TV (2 SP, TV with judge's permission) | Conferences of counsel, proceedings in judicial chambers, confidential cases, proceeding closed by the judge for good cause | Jurors |
| Trial courts | Judge | Party, judge | Hearing | 1 AS, 1 SP, 1 TV (2 SP, TV with judge's permission) | Conferences of counsel, proceedings in judicial chambers | Jurors |
| Idaho | | | | | | |
| Supreme Court ⁴ | ~ | Court | Total exclusion | ~ | Conferences of counsel | ~ |
| Court of Appeals – 11/12/81 | ~ | Court | Total exclusion | ~ | ~ | ~ |
| Illinois – 1/2/85 | | | | | | |
| Appellate courts | None required | Judge | Total exclusion | 1 AS, 1 SP, 1 TV | Conferences of counsel | ~ |
| Indiana – 1996 | | | | | | |
| Supreme Court | None required | ~ | ~ | 2 AS, 2 SC, 2 TV | ~ | ~ |
| Iowa – 1/1/82 | | | | | | |
| All courts | Judge | Witness, victim | Personal exclusion ⁵ | 1 AS, 2 SP, 2 TV | Juvenile dissolution, adoption, child custody, trade secrets, voir dire, conferences of counsel | Jurors (except return of verdict) |
| Kansas – 1988 | | | | | | |
| All courts | ~ | Judge, witness, victim, informant, undercover agent, relocated witness, juvenile | Personal exclusion, total exclusion possible by judge | 1 AS, 1 SP, 1 TV | Conferences of counsel, audio, evidentiary suppression hearing, trade secrets | Jurors, accused while in restraints |
| Kentucky – 7/1/81 | | | | | | |
| Appellate courts | Judge | ~ | ~ | 1 AS, 1 SP, 2 TV | Conferences of counsel | ~ |
| Trial courts | Judge | ~ | ~ | 1 AS, 1 SP, 1 TV | Conferences of counsel | ~ |

Table 34. Cameras and Audio Coverage in the Courtroom

Legend: AS=Audio systems; SC=Still cameras; SP=Still photographers; TV=Television cameras; ~=Not applicable

Note: Only those States and courts that allow media coverage are included in this table.

| State- effective date/ court | Who must consent? | Who may object? | Effect of objection | Limitation on coverage | | |
|---|--|-----------------------|---|------------------------------------|---|---|
| | | | | Cameras and audio | Type of proceedings | Type of participants |
| Louisiana – 4/30/85 Appellate courts | Judge | Party, attorney | Presiding judge makes non-reviewable decision | 1 AS, 2 SC, 1 SP, 2 TV | Private proceedings, proceedings in chambers, recess, conferences between counsel and client or co-counsel | ~ |
| Maine – 3/13/84 Appellate court | Court | ~ | ~ | 1 AS, 1 SP, 1 TV | ~ | ~ |
| Maryland Appellate courts – 7/1/82 Trial courts – 7/1/84 | All parties except a government party, judge | Party, witness, juror | Hearing | 1 AS, 1 SP, 1 TV | Divorce and custody, evidence suppression proceedings, cases involving trade secrets, private hearings, conferences of counsel, criminal cases | Determined by judge |
| Massachusetts - 1/1/83 All courts | Judge | ~ | ~ | 1 SP, 1 TV | Voir dire, hearing of motions to suppress or dismiss or of probable cause, conferences of counsel | Persons likely to incur harm due to coverage, jurors |
| Michigan – 3/1/89 All courts | Judge | ~ | ~ | 1 AS, 3 SC, 2 SP, 3 TV | Conferences of counsel | Witnesses as determined by judge, jurors |
| Minnesota Appellate courts – 9/28/83 Trial court – 4/18/83 | ~ Judge and all parties | ~ Witness | ~ Personal exclusion | 2 SP, 1 TV 1 AS, 1 SP, 1 TV | ~ Voir dire, hearings away from jury, judge not present, child custody, divorce, sex crimes, and trade secrets | ~ Objecting witness, jurors, informants, relocated witnesses, and undercover agents |
| Mississippi – 7/1/03 All courts | Judge | ~ | ~ | 1 AS, 1 SP, 1 TV | Divorce, child custody, support, guardianship, conservatorship, commitment, waiver of parental consent to abortion, adoption, delinquency and neglect of minors, determination of paternity, termination of parental rights, domestic abuse, motions to suppress evidence, proceedings involving trade secrets, jury selection, conferences of counsel, and in camera proceedings | Jurors, potential jurors, police informants, minors, undercover agents, relocated witnesses, victims and families of victims of sex crimes, and victims of domestic abuse |
| Missouri – 8/21/95 All courts | Judge | Any participant | Partial/ personal exclusion | 1 AS, 2 SC, 1 SP, 1 TV | Private, juvenile, or family proceedings; jury selection; conferences of counsel or bench | Jurors |
| Montana – 4/18/80 Supreme and District | No consent required | ~ | ~ | ~ | ~ | ~ |

Table 34. Cameras and Audio Coverage in the Courtroom

Legend: AS=Audio systems; SC=Still cameras; SP=Still photographers; TV=Television cameras; ~ =Not applicable

Note: Only those States and courts that allow media coverage are included in this table.

| State- effective date/ court | Who must consent? | Who may object? | Effect of objection | Limitation on coverage | | |
|--|--|--|---|------------------------|---|---|
| | | | | Cameras and audio | Type of proceedings | Type of participants |
| Nebraska Supreme – 10/1/83 Appeals – 1/1/92 | No consent required | Any person authorized by Chief Justice | At discretion of Chief Justice | 1 AS, 1 SC, 1 TV | Conferences of counsel | None |
| Trial courts | All trial courts subject to Supreme Court Rule 18 prohibiting cameras and recording in the courtroom. | ~ | ~ | ~ | ~ | ~ |
| Nevada – 5/30/88 All courts | Judge | Attorneys, participants | Court's discretion | 1 AS, 1 SP, 1 TV | Conferences of counsel, voir dire (only public proceedings) | Jury ⁶ |
| New Hampshire - 3/97 Supreme and Superior | Judge | ~ | ~ | ~ | ~ | ~ |
| District and Probate | Court Judge | ~ | ~ | ~ | ~ | ~ |
| New Jersey Appellate courts– 10/8/80 Superior and Tax – 6/9/81 Municipal – 9/1/86 | Judge ⁷ | ~ | ~ | 1 AS, 2 SC, 2 TV | Conferences of counsel, charges of sexual contact or sexual penetration, juvenile cases, termination of parental rights cases, domestic violence proceedings, child abuse/neglect matters, cases involving custody of children, trade secrets | Jury |
| New Mexico Supreme, Appeals, and District – 1/1/83 ⁸ Bernalillo County Metropolitan – 3/1/87 ⁸ | No consent required | ~ | ~ | 2 AS, 2 SP, 1 TV | Conferences of counsel or bench, jury selection, admissibility hearings | Jury, certain witnesses at discretion of court |
| New York – 1/1/81 Appellate courts | Court | Counsel and parties, for good cause only | Court's discretion | 1 AS, 2 SC, 2 TV | Conferences of counsel | ~ |
| North Carolina – 6/13/90 All courts | No consent required | ~ | ~ | 1 AS, 1 SC, 2 TV | Proceedings involving children or families, probable cause hearings, evidence suppression, trade secrets, proceedings in camera, proceedings before clerks of court and magistrates, jury selection, conferences of counsel | Jury, certain categories of witnesses |
| North Dakota – 7/1/80⁹ All courts | Court | Any party or any person specifically authorized by judge | Total/ partial exclusion on good cause shown | 1 AS, 1 SC 1 TV | Prosecution of sex offenses | Certain witnesses, juveniles if illegal sexual activity is part of the offense |

Table 34. Cameras and Audio Coverage in the Courtroom

Legend: AS=Audio systems; SC=Still cameras; SP=Still photographers; TV=Television cameras; ~=Not applicable

Note: Only those States and courts that allow media coverage are included in this table.

| State- effective date/ court | Who must consent? | Who may object? | Effect of objection | Limitation on coverage | | |
|---|--|------------------------------|---|---|---|---------------------------|
| | | | | Cameras and audio | Type of proceedings | Type of participants |
| Ohio – 1/1/82 Supreme Court | Chief Justice | ~ | ~ | Existing feed or determined by court | Proceedings while court not in session | ~ |
| Courts of Appeal | Chief Judge | ~ | ~ | 1 portable camera 1 AS, 1 SC | Proceedings while court not in session, conferences of counsel | ~ |
| Common Pleas, Municipal, and County | Judge | Victims, witnesses | Personal exclusion | 1 AS, 1 SC, 1 TV | Conferences of counsel | Jurors |
| Oklahoma –2/22/82 ¹⁰ All courts | Judge; accused in criminal trial | Party, witness, juror | Personal exclusion | ~ | Private proceedings | ~ |
| Oregon Appellate courts – 8/1/94 Circuit – 8/1/90 Tax, County, Justice, and Municipal | Judge | Sex offense victim, party | Personal Exclusion | 1 TV | At victim's request, in sex offense proceedings, proceedings in chambers, proceedings without the jury, voir dire, conferences of counsel and bench conferences, family/ children proceedings, mental commitment, trade secret, stalking order proceedings, recesses, any juror anywhere during the course of the trial | Jurors, some witnesses |
| Pennsylvania - 10/1/80 Commonwealth, Common Pleas, and Philadelphia Municipal | All parties, witnesses | Any party or witness | Total exclusion for party, personal exclusion for witness | 1 TV | Only civil, non-jury proceedings may be recorded | ~ |
| Rhode Island – 3/8/93 Supreme, Superior, Workers' Compensation, and District | Judge | Any participant | Personal exclusion | 1 AS, 2 SC, 2 TV | Hearings taking place outside presence of jury, conferences of counsel, voir dire | Jurors |
| Family, Probate, and Municipal | No consent required | Any participant | Personal exclusion | 1 AS, 2 SC, 1 TV | Hearings taking place outside presence of jury, conferences of counsel, voir dire, juvenile/ adoption proceedings | Jurors, juveniles |
| South Carolina – 10/21/93 All courts | Judge | ~ | ~ | 2 SC, 2 TV, 1 radio recorder | Procedures which are closed to the public; conferences of counsel | Juveniles |
| South Dakota – 7/24/01 Supreme Court | No consent required | Party | At discretion of court | 1 AS, 4 SC, 2 SP, 2 TV | Conferences between attorneys and their clients, co-counsel, or justices; in- chambers court conferences | ~ |

Table 34. Cameras and Audio Coverage in the Courtroom

Legend: AS=Audio systems; SC=Still cameras; SP=Still photographers; TV=Television cameras; ~ =Not applicable

Note: Only those States and courts that allow media coverage are included in this table.

| State- effective date/ court | Who must consent? | Who may object? | Effect of objection | Limitation on coverage | | |
|--|---|--|--|----------------------------------|--|--|
| | | | | Cameras and audio | Type of proceedings | Type of participants |
| Tennessee ¹¹ – 1/1/96 Supreme Court, Court of Appeals, Court of Criminal Appeals, Circuit, Chancery, Criminal, Probate, Municipal, and General Sessions | Pursuant to Supreme Court Rule 30, the presiding judge has the discretion to refuse, limit, terminate, or temporarily suspend media coverage of an entire case or portions thereof, in order to (i) control the conduct of the proceedings before the court; (ii) maintain decorum and prevent distractions; (iii) guarantee the safety of any party, witness or juror; and (iv) ensure the fair administration of justice in the pending cause. | | | 1 AS, 2 SC, 2 TV | Jury selection, closed proceedings, conferences of counsel, any proceeding when jury out, out-of-court activities of sequestered jurors | Jurors, juveniles |
| Juvenile Court | Accused parties; witnesses | Witness, accused party (criminal case), any party (civil case) | Total exclusion if party, partial exclusion if witness | 1 AS, 2 SC, 2TV | Jury selection, closed proceedings, conferences of counsel, any proceeding when jury out, out-of-court activities of sequestered jurors | Jurors, juveniles |
| Texas – Unknown Appellate courts and District | Court | Any party | At discretion of court | ~ | ~ | ~ |
| Utah ¹² – 4/1/97 Appellate courts | Court | Any party | Total exclusion at discretion of court | 1 SC, 1 TV | ~ | ~ |
| Trial courts ¹³ | Judge | Any party | Personal or total exclusion at discretion of court | SC only | ~ | Jurors |
| Vermont – 3/12/92 Appellate court | No consent required | ~ | ~ | 1 AS, 1 SP with 2 SC, 2 TV | Conferences of counsel or bench | ~ |
| Superior, District, Probate, Family (except juvenile) Environmental, and Judicial Bureau | No consent required | Party or witness | Total exclusion if court grants motion | 1 AS, 1 SP with 2 SC, 1 TV | Court recesses, conferences of counsel | Jurors |
| Virginia – 7/1/92 All courts | No consent required | Parties | Partial/total at discretion of judge | 1 AS, 1 SP with 2 SC | Jury selection, conferences of counsel, family proceedings, juvenile proceedings, trade secrets, sex offenses, in camera proceedings | Certain categories of witnesses, jurors, juveniles |
| Washington – 9/20/76 All courts | Judge | ~ | ~ | ~ | ~ | ~ |
| West Virginia - 2/1/89 Appellate court | AOC Information Services Director | Parties, witnesses, counsel | Partial exclusion | 1 AS, 2 SP, 1 TV | Proceedings closed to public, conferences of counsel | ~ |
| Circuit and Magistrate | Presiding judge; presiding magistrate | Parties, witnesses, counsel | Partial exclusion | 1 AS, 2 SP, 1 TV | Proceedings closed to public, conferences of counsel | ~ |

Table 34. Cameras and Audio Coverage in the Courtroom

Legend: AS=Audio systems; SC=Still cameras; SP=Still photographers; TV=Television cameras; ~=Not applicable

Note: Only those States and courts that allow media coverage are included in this table.

| State- effective date/ court | Who must consent? | Who may object? | Effect of objection | Limitation on coverage | | |
|---|------------------------|--------------------|--|------------------------|--|---------------------------------|
| | | | | Cameras and audio | Type of proceedings | Type of participants |
| Wisconsin – 7/1/79 All courts | No consent required | Any participant | Partial/total exclusion at discretion of judge but presumption favors coverage | 1 AS, 3 SP, 3 TV | Conferences of counsel, recesses of court | Jurors (unless they consent) |
| Wyoming Appellate court – 9/2/82 Trial courts – 12/27/91 | Court | Any participant | Personal exclusion | ~ | Conferences of counsel | Jury |

FOOTNOTES:

Alaska:
¹ Interlocutory appellate review is available.

Colorado:
² A party may seek review of ruling by original proceeding, if otherwise appropriate. Any party or media representatives aggrieved by any decision of the court concerning coverage may seek review by original proceeding or if otherwise appropriate.

Hawaii:
³ Interlocutory appellate review is available.

Idaho:
⁴ The start date for the Supreme Court in Boise was 8/27/79 and 10/1/80 for the Supreme Court on circuit.

Iowa:
⁵ Only victims of sex offenses get automatic exclusion; other victim and witness objections are presumed valid but may be rebutted.

Nevada:
⁶ Rule 238 recognizes that it may be impossible not to photograph some jurors as part of the proceedings, but the media may not deliberately photograph the jury.

New Jersey:
⁷ Any party or media representative aggrieved by any decision of the court concerning coverage may move for leave to appeal to the Appellate Division.

New Mexico:
⁸ This was amended effective 9/1/89.

North Dakota:
⁹ This was amended effective 7/1/95.

Oklahoma:
¹⁰ This was amended effective 11/1/97.

Tennessee:
¹¹ The rules listed on this table for Tennessee were formerly articulated in its Canons of Judicial Conduct (Supreme Court Rule 10, Canon 3(A)(7)). Several Tennessee courts adopted rules for the media pursuant to those guidelines and have kept those rules despite the removal of media guidelines from the Canons in 1996. The media rules adopted by the individual types of courts tend to be more limiting than the rules listed on the table.

Utah:
¹² Only still photography is allowed in trial courts.
¹³ Still photography in the juvenile courts is subject to the same regulations as in district court but becomes applicable only in hearings designated by statute or rule as public hearings.

Table 35. The Defense of Insanity: Standards and Procedures

Legend: B=Beyond a reasonable doubt; C=Clear and convincing evidence; P=Preponderance of the evidence; M=Mandatory; D=Discretionary; ■=Yes (see end of table for additional abbreviations and definitions)

| | Pre-trial | | | Trial | | | | | Post-trial | | Court has release authority | | | |
|----------------------|-------------------|---|-----------------|----------------|-------------------|----------------|---|--|---------------------------------------|---|--|------------------|-----------|---|
| | Standard of proof | | | Bifurcated | Standard of proof | | | Burden of proof Defendant (D) Prosecutor (P) | Jury informed of verdict consequences | Test for insanity | | Insanity verdict | Treatment | |
| | B | C | P | | B | C | P | | | | | | M | D |
| Alabama | ■ | | | | ■ | | | D | | M'N | NGBD | | ■ | ■ |
| Alaska | ■ | | | | | ■ | | D | ■ | M'N (nature and quality prong only) ¹ | NGBI/GBMI | ■ | ■ | ■ |
| Arizona | ■ | | | | ■ | | | D | | M'N (nature and quality) ² | GBI | ■ | | ■ |
| Arkansas | | | ■ ³ | | | ■ | | D | ■ | A.L.I. (minus substantial) | NGBD | | ■ | ■ |
| California | | | ■ | ■ | | ■ | | D | ■ | M'N | NGBI | | ■ | ■ |
| Colorado | | | ■ | | ■ | | | P | ■ | M'N and irresistible impulse | NGBI | ■ | | ■ |
| Connecticut | ■ | | | | | ■ | | D | ■ | A.L.I. (requires lack of capacity to conform) | NGBD | | ■ | ■ |
| Delaware | | | ■ | | | ■ | | D | | A.L.I. (criminal prong only) | NGBI | ■ | | ■ |
| District of Columbia | | | ■ ⁴ | ■ ⁵ | | ■ | | D | ■ | A.L.I. | NGBI | ■ | | ■ |
| Florida | | | ■ | ■ | ■ | | | D | ■ | M'N | NGBI | | ■ | ■ |
| Georgia | | | ■ | | ■ ⁶ | ■ ⁶ | | D | ■ | M'N and delusional compulsion | NGBI/GBMI/GBMR | ■ | ■ | ■ |
| Hawaii | | | ■ ⁷ | | | ■ | | P | ■ If requested by defendant | A.L.I. ⁸ | Acquitted for physical or mental disease, disorder, or defect excluding responsibility | | ■ | ■ |
| Idaho ⁹ | | | ■ ¹⁰ | | | | | <i>No insanity defense</i> | | | GBI | | ■ | ■ |
| Illinois | | | ■ | | ■ | | | D | | A.L.I. (requires lack of substantial capacity to conform) | NGBI | | ■ | ■ |
| Indiana | | | ■ | | ■ | | | P | | A.L.I. (no control prong) ¹¹ | Not responsible by insanity/GBMI | | ■ | ■ |
| Iowa | | | ■ | | | ■ | | D | | M'N | NGBI | ■ | | ■ |
| Kansas | | | ■ | | ■ | | | P | ■ | M'N | NGBD | ■ | | ■ |
| Kentucky | | | ■ ¹² | | | ■ | | D | ■ | A.L.I. | NGBI | | ■ | ■ |
| Louisiana | | | ■ | | | ■ | | D | | M'N | NGBI | ■ ¹³ | | ■ |

Table 35. The Defense of Insanity: Standards and Procedures

Legend: B=Beyond a reasonable doubt; C=Clear and convincing evidence; P=Preponderance of the evidence; M=Mandatory; D=Discretionary; ■=Yes (see end of table for additional abbreviations and definitions)

| | Pre-trial | | | | Trial | | | | Post-trial | | | | | |
|----------------------------|--------------------|---|-----------------|------------|-------------------|---|----------------|--|---------------------------------------|---|--|-----------------|-----------------|------------------------------|
| | Standard of proof | | | Bifurcated | Standard of proof | | | Burden of proof Defendant (D) Prosecutor (P) | Jury informed of verdict consequences | Test for insanity | Insanity verdict | Treatment | | Court has release authority |
| | B | C | P | | B | C | P | | | | | M | D | |
| Maine | | | ■ | ■ | | | ■ | D | | A.L.I. (no control prong) ¹⁴ | NGBI | ■ | | ■ |
| Maryland | ■ | | | ■ | | | ■ | D | | A.L.I. | Not responsible by reason of insanity | | ■ | ■ |
| Massachusetts | | | ■ | | ■ | | | P | ■ If requested by defendant | A.L.I. | NGBI | | ■ | State Hospital ¹⁵ |
| Michigan | | | ■ | | | | ■ | D | | A.L.I. | NGBI | ■ | | N/S |
| Minnesota | | | ■ | ■ | | | ■ | D | | M'N | NGBI | ■ | | ■ |
| Mississippi | | | ■ | ■ | ■ | | | P | | M'N | ABI | ■ ¹⁶ | | ■ |
| Missouri | | | ■ | | | | ■ | D | | M'N and incapacity to conform conduct to requirement of the law | NGBD | ■ | | ■ |
| Montana ¹⁷ | | | ■ | | | | | No insanity defense | | | GBI | | ■ | ■ |
| Nebraska | | | ■ ¹⁸ | | | | ■ | D | | M'N | NGBI | | ■ | ■ |
| Nevada | | | ■ | | | | ■ | D | | M'N | NGBI | | ■ | ■ |
| New Hampshire | | | ■ | ■ | | | ■ | D | ■ | ¹⁹ | NGBI | ■ | | ■ |
| New Jersey | | | ■ | | | | ■ | D | ■ | M'N | NGBI | | ■ | ■ |
| New Mexico | | | ■ | | ■ | | | P | | M'N or irresistible impulse | NGBI | | ■ | ■ |
| New York | | | ■ | | | | ■ | D | ■ | A.L.I. | Not responsible by reason of mental defect | | ■ | ■ |
| North Carolina | | | ■ | | | | Jury satisfied | D | ■ | M'N | NGBI | ■ | | ■ |
| North Dakota ²⁰ | | | ■ | ■ | | | ■ | D | ■ | A.L.I. | NG, lack of criminal responsibility | | ■ | ■ Annual review |
| Ohio | | | ■ | | | | ■ | D | | M'N | NGBI | | ■ | ■ |
| Oklahoma | ■ | | | ■ | ■ | | | P | | M'N | ABI | | ■ | ■ |
| Oregon | | | ■ | | | | ■ | D | ■ | A.L.I. | Guilty except for insanity | | ■ | Psych. Security Review Board |
| Pennsylvania | | | ■ | ■ | ■ | | | P | ■ | M'N | NGBI/GBMI | | ■ | ■ |
| Puerto Rico | Reasonable Grounds | | | | ■ | | | D | | A.L.I. | NGBI | | ■ ²¹ | ■ |
| Rhode Island | | | ■ | | | | ■ | D | | A.L.I. | NGBI | | ■ | ■ |
| South Carolina | | | ■ | | | | ■ | D | ■ ²² | M'N | NGBI | ■ (120 days) | | Chief Admin. Judge |
| South Dakota | | | ■ | | ■ | | | D | | M'N | NGBI | | ■ | ■ |

Table 35. The Defense of Insanity: Standards and Procedures

Legend: B=Beyond a reasonable doubt; C=Clear and convincing evidence; P=Preponderance of the evidence; M=Mandatory; D=Discretionary; ■=Yes (see end of table for additional abbreviations and definitions)

| | Pre-trial | | | Trial | | | | Post-Trial | | | | |
|--------------------|-------------------|---|---|-------------------|---|---|--|---------------------------------------|------------------------------|------------------|-----------|-----------------------------|
| | Standard of proof | | | Standard of proof | | | Burden of proof Defendant (D) Prosecutor (P) | Jury informed of verdict consequences | Test for insanity | Insanity verdict | | Court has release authority |
| | B | C | P | Bifurcated | B | C | | | | P | M | |
| Tennessee | | | ■ | | ■ | | D | ■ | A.L.I. | NGBI | ■ | ■ |
| Texas | | | ■ | | | ■ | D | | M'N and irresistible impulse | NGBI | ■ Violent | ■ Non-violent |
| Utah ²³ | | | | | | | No insanity defense | | | GBI | | ■ |
| Vermont | | | ■ | | ■ | | P | | A.L.I. | NGBI | | ■ ²⁴ |
| Virginia | | | ■ | | | ■ | D | | M'N and irresistible impulse | ABI | | ■ |
| Washington | | | ■ | | | ■ | D | | M'N | NGBI | | ■ |
| West Virginia | | | ■ | | ■ | | P | ■ | A.L.I. | NGBD | ■ | ■ |
| Wisconsin | | Greater weight of the credible evidence | | ■ | Greater weight of the credible evidence | | D | ■ | A.L.I. | NGBD | | ■ |
| Wyoming | | | ■ | | | ■ | D | | A.L.I. | NGBD | | ■ |

ABBREVIATIONS:

ABI=Acquitted by reason of insanity
 GBI=Guilty but insane
 GBMI=Guilty but mentally ill

GBMR=Guilty but mentally retarded
 NGBD=Not guilty by reason of mental disease or defect
 NGBI=Not guilty by reason of insanity

DEFINITIONS:

American Legal Institute (A.L.I.): Accused lacks substantial capacity to appreciate the criminality (wrongfulness) of his/her conduct or conform his/her conduct to the requirements of law.

Irresistible Impulse: If a mental disorder caused the individual to experience an irresistible impulse to commit the offense, even if he/she remained able to understand the nature of the offense and its wrongfulness.

M'Naghten (M'N): The accused party, at the time of committing the act, was laboring under a defect of reason from disease of the mind, not to know the nature and quality of the act he/she was doing, or if he/she did not know it was wrong.

FOOTNOTES:

Alaska:

¹ Wrongfulness prong is the basis for the guilty but mentally ill verdict.

Arizona:

² Wrongfulness prong is the basis for the guilty but insane verdict.

Arkansas:

³ Burden of proof is not explicitly stated, but sounds like preponderance of the evidence in case law.

District of Columbia:

⁴ Burden of proof is not explicitly stated, but case law sounds like preponderance of the evidence with heavy reliance on expert witness conclusions.

⁵ This is at the discretion of trial court.

Georgia:

⁶ Standard of proof is preponderance of the evidence for not guilty by reason of insanity verdict and beyond a reasonable doubt for guilty but mentally ill or guilty but mentally retarded verdict.

Hawaii:

⁷ The issue is for determination by the trier of fact.

⁸ The disability defense is expanded so conduct can be a result of 'physical or mental disease, disorder, or defect'.

Idaho:

⁹ The Insanity defense was abolished; evidence of mental defect may negate an offense element.

¹⁰ Burden of proof is not explicitly stated, but sounds like preponderance of the evidence in case law.

Indiana:

¹⁰ A Mental disease/defect must be a severely abnormal mental condition that grossly and demonstrably impairs perception.

Kentucky:

¹² Burden of proof is not explicitly stated, but sounds like preponderance of the evidence in case law.

Louisiana:

¹³ This is mandatory in capital cases. In non-capital cases there is a contradictory hearing with the burden of proof on the defendant.

Maine:

¹⁴ Mental disease/defect must be a severely abnormal mental condition that grossly and demonstrably impairs perception.

Massachusetts:

¹⁵ The district attorney must be informed of the release and given opportunity to file civil commitment.

Mississippi:

¹⁶ This applies if the jury still finds the defendant insane and dangerous.

Montana:

¹⁷ The Insanity defense was abolished; evidence of mental defect may negate an offense element.

Nebraska:

¹⁸ Burden of proof is not explicitly stated, but sounds like preponderance of the evidence in case law.

Table 35. The Defense of Insanity: Standards and Procedures**New Hampshire:**

¹⁹ The legislature has not adopted a test: courts have held that the insanity must negate criminal intent for the not guilty by reason of insanity verdict.

North Dakota:

²⁰ Availability of an insanity defense is tied to the elements of offense. This effectively abolishes insanity defense for crimes not requiring intention, knowledge, or recklessness.

Puerto Rico:

²¹ Treatment is ordered if the court has reasonable grounds to believe imposition is necessary due the defendant's dangerous character.

South Carolina:

²² The jury is informed only if they have the right to fix punishment as well as decide guilt or innocence.

Utah:

²³ The Insanity defense was abolished; evidence of mental defect may negate an offense element.

Vermont:

²⁴ The court may retain the release authority, but usually delegates it to DEV/Mental Health Services.

Table 36. DNA Evidence: Post-Conviction Analysis

Legend: RP=Reasonable probability; CC=Clear and convincing evidence; PE=Preponderance of the evidence; PN=Potential for new, relevant evidence; N/S=Not stated; ■=Yes

| State/Statute | Time limit for relief | Convictions for which relief may be sought | | | Length of time biological evidence must be preserved | | Standard for granting DNA testing (likelihood of producing new evidence) | | | | Court believes that granting DNA testing would result in | |
|---|-----------------------|--|--------|-------------------------------------|--|-------------------------------|--|-----|-----|-----|--|------------------------|
| | | Any crime | Felony | Other | Duration of sentence | Other | RP | CC | PE | PN | Actual innocence | More favorable verdict |
| Alabama Code 36-18-20 ¹ | No limit | | ■ | | | Forever | | | | | ■ | ■ |
| Alaska N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Arizona Rev. Stat. § 13-4240 | No limit | | ■ | | N/S | N/S | ■ | | | | | ■ |
| Arkansas Code Ann. § 16-112-201, 205, 207 | N/S | ■ | | | | At least 7 years ² | | ■ | | | ■ | |
| California Penal Code § 1405 | N/S | ■ | | | ■ | | ■ | | | | | ■ |
| Colorado SB 03-164 | N/S | ■ | | | N/S | N/S | | | ■ | | ■ | |
| Connecticut HB 6700 | N/S | ■ | | | ■ | | ■ | | | | ■ | |
| Delaware Code Ann. Tit. 11 § 4504 | 3 years | ■ | | | N/S | N/S | | ■ | | | ■ | |
| District of Columbia Code Ann. § 4031 to 4035 | N/S | | | Violent crime | N/S | N/S | ■ | | | | N/S | N/S |
| Florida Stat. Ann § 925.11 | 2 years ³ | ■ | | | | 2 years | ■ | | | | | ■ |
| Georgia SB 119 | N/S | | | Serious violent felony ⁴ | N/S | N/S | ■ | | | | ■ | |
| Hawaii 2005 Act 112 | No limit | ■ | | | N/S | N/S | ■ | | | | ■ | |
| Idaho Code § 19-4902 | 1 year ⁶ | ■ | | | ■ ⁵ | ■ ⁵ | | | | ■ | ■ | |
| Illinois 725 Comp. Stat. 5/116-3 | N/S | | ■ | | N/S | N/S | | | | ■ | ■ | |
| Indiana Code Ann. 35-38-7-1 to 19 | N/S | | | Murder or class A, B, or C felony | N/S | N/S | ■ | | | | | ■ |
| Iowa N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Kansas Stat. Ann. § 21-2512 | N/S | | | Murder or rape | N/S | N/S | | | | ■ | | ■ |
| Kentucky Rev. Stat. Ann. § 422.285 to 287 | N/S | | | Capital offense | N/S | N/S | ■ | | | | | ■ |
| Louisiana Code Crim. Proc. Ann. art. 926.1 ⁷ | | ■ | | | | ⁸ | ■ | | | | ■ | |
| Maine Rev. Stat. Ann. tit. 15 § 2136 to 2138 | N/S | | | Crime with sentence over 20 years | ■ | | | | | ■ | ■ | |

Table 36. DNA Evidence: Post-Conviction Analysis

Legend: RP=Reasonable probability; CC=Clear and convincing evidence; PE=Preponderance of the evidence; PN=Potential for new, relevant evidence; N/S=Not stated; ■=Yes

| State/Statute | Time limit for relief | Convictions for which relief may be sought | | | Length of time biological evidence must be preserved | | Standard for granting DNA testing (likelihood of producing new evidence) | | | | Court believes that granting DNA testing would result in | | |
|--|-----------------------|--|-----------------|--|--|----------------------|--|-----|-----|-----|--|------------------------|-----------------|
| | | Any crime | Felony | Other | Duration of sentence | Other | RP | CC | PE | PN | Actual innocence | More favorable verdict | |
| Maryland Code Ann. Crim. Proc. § 8-201 | N/S | | | Homicide or sexual offense | | 3 years ⁹ | ■ | | | | | ■ | |
| Massachusetts N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Michigan Comp. Laws 770.16 | ¹⁰ | | ■ ¹¹ | | ■ | | | | | ■ | | ■ | |
| Minnesota Stat. 590.01 | N/S | N/S | N/S | N/S | N/S | N/S | | | | ■ | | ■ | |
| Mississippi N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Missouri Rev. Stat. 547.035 | N/S | ■ | | | N/S | N/S | ■ | | | | | ■ | |
| Montana HB 77 (2003) | N/S | | ■ | | | 3 years | ■ | | | | | ■ | |
| Nebraska Rev. Stat. 29-4117 to 4125 | N/S | ■ | | | ■ | | | | | ■ | | | ■ |
| Nevada 2003 Stat. 335 | N/S | | | Death sentence | N/S | N/S | ■ | | | | | ■ | |
| New Hampshire Tit. LXII Chp. 651 D | N/S | ■ | | | ■ | or 5 years | | ■ | | | | | ■ |
| New Jersey Stat. Ann. § 2A: 84A-32a | N/S | ■ | | | N/S | N/S | ■ | | | | | ■ | |
| New Mexico 2003 Laws 27 | N/S | ■ | | | N/S | N/S | ■ | | | | | ■ | |
| New York Crim. Proc. Law § 440.30 | N/S | | | Before 1-1-96 | N/S | N/S | ■ | | | | | | ■ |
| North Carolina Gen. Stat. § 15A-269 | N/S | ■ | | | N/S | N/S | ■ | | | | | | ■ |
| North Dakota Code sect. 29-32.1-15 | N/S | ■ | | | | Permanent | | | | ■ | | ■ | |
| Ohio Code sect. 2953.71-83 | ¹² | | ■ | | ■ | Plus 2 years | | | | ■ | | | ■ |
| Oklahoma Stat. tit. 22 § 1371, 1371.1 | N/S | | ■ | | ■ | | | ■ | | | | ■ | |
| Oregon 2001 Or. Laws 697 | ¹³ | | | Aggravated murder or "person felony" ¹⁴ | | No minimum | ■ | | | | | ■ | |
| Pennsylvania Stat. Ann. tit. 42 § 9543.1 | N/S | ■ ¹⁵ | | | N/S | N/S | ■ | | | | | ■ ¹⁶ | ■ ¹⁶ |
| Puerto Rico N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Rhode Island Gen. Laws § 10-9.1-10 | N/S | ■ | | | | ■ ¹⁷ | ■ | | | | | ■ | |

Table 36. DNA Evidence: Post-Conviction Analysis

Legend: RP=Reasonable probability; CC=Clear and convincing evidence; PE=Preponderance of the evidence; PN=Potential for new, relevant evidence; N/S=Not stated; ■=Yes

| State/Statute | Time limit for relief | Convictions for which relief may be sought | | | Length of time biological evidence must be preserved | | Standard for granting DNA testing (likelihood of producing new evidence) | | | | Court believes that granting DNA testing would result in | |
|--|-----------------------|--|--------|---------------|--|------------------------------|--|-----|-----|-----|--|------------------------|
| | | Any crime | Felony | Other | Duration of sentence | Other | RP | CC | PE | PN | Actual innocence | More favorable verdict |
| South Carolina 17-27-10 et. Seq. | 1 year ¹⁸ | ■ | | | | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| South Dakota Under case law <i>Jenner v. Dooley</i> N.W. 2d 463, 471-2 (SD 1999) | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Tennessee Code Ann. § 40-30-401 to 413 | N/S | | | Violent crime | N/S | N/S | ■ | | | | | ■ |
| Texas Code Crim. Proc. Ch. 64 | N/S | ■ | | | N/S | N/S | | | ■ | | ■ | |
| Utah Code Ann. § 78-35a-301 to 304 | N/S | | ■ | | N/S | N/S | | | | ■ | ■ | |
| Vermont N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |
| Virginia Code Ann. § 19.2-327.1 | N/S | | ■ | | | Up to 15 years ¹⁹ | | ■ | | | ■ | |
| Washington RCW § 10.73.170 | During imprisonment | | ■ | | | Court determines | ■ | | | | ■ | |
| West Virginia Code sect. 15-2B-14 | N/S | | ■ | | N/S | N/S | ■ | | | | | ■ |
| Wisconsin Stat. § 974.07; 757.54 | N/S | ■ | | | ■ | | ■ | | | | | ■ ²⁰ |
| Wyoming N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S | N/S |

FOOTNOTES:

Alabama:

¹ Code sect. 36-18-20 covers DNA evidence but does not specifically mention post-conviction analysis.

Arkansas:

² DNA is stored permanently for a violent offense, 25 years for a sex offense, seven years for any other offense for which DNA must be taken.

Florida:

³ Post conviction relief is available for two years after the conviction is final, or by October 1, 2003, whichever is later.

Georgia:

⁴ This is defined in § 17-10-6.1.

Hawaii:

⁵ The later of either 1) the exhaustion of all appeals or 2) the completion of the sentence.

Idaho:

⁶ Post conviction relief is available for forty-two days from the final judgment in a capital case.

Louisiana:

⁷ A person convicted of a felony prior to 8-31-07 may request relief under the provisions of CCRP Article 926.1 (Application for DNA Testing), and anyone sentenced to death prior to 8-15-01 may request relief under those provisions. On or after 8-31-07, a petitioner may request DNA testing under the provisions of CCRP Article 930.4 or 930.8, which places a time limit of "two years after the judgment of conviction and sentence has become final."

⁸ For those cases concluded by 8-15-01 with a verdict of guilty or a plea of guilty, all DNA evidence shall be preserved until 8-31-07. For those cases in which the defendant was sentenced to death prior to 8-15-01, all DNA evidence shall be preserved until the execution of the sentence is completed. For those cases concluded on or after 8-15-01, all DNA evidence shall be preserved until the case has been finally resolved by the court.

Maryland:

⁹ The court may specify that the evidence be preserved for a longer time period.

Michigan:

¹⁰ A defendant convicted of a felony at trial before 1-8-01 may petition for DNA testing and a new trial until 1-1-09. Otherwise, in cases appealable as of right, a motion for a new trial shall be made within 60 days after entry of judgment, with exceptions made to this time limit should good cause be shown.

¹¹ This only applies to felons convicted before January 8, 2001.

Ohio:

¹² As of July 1, 2003, SB 11 had passed the House and the Senate and was awaiting the governor's signature. SB 11 provides a one-year window from its enactment for all felons to have evidence tested "if exclusion result obtained will be outcome determinative."

Oregon:

¹⁴ Post conviction relief is available for those incarcerated for "aggravated murder or a person felony," or "not in custody but has been convicted of aggravated murder, murder, or a sex crime." (2001 Or. Laws 697)

Table 36. DNA Evidence: Post-Conviction Analysis**Pennsylvania:**

¹⁵ Post conviction relief is available for any incarcerated petitioner except one convicted after January 1995 who did not request DNA testing at trial.

¹⁶ The result would be actual innocence except in capital cases, where the standard is a more favorable verdict/sentence.

Rhode Island:

¹⁷ Duration of incarceration resulting from conviction after trial.

South Carolina:

¹⁸ One year after conviction or one year after sending a remitter to the lower court from an appeal or the final decision upon an appeal, whichever is later.

Virginia:

¹⁹ In a non-death-sentence case, the defendant must make a motion to preserve evidence for up to 15 years. In a death penalty case, the evidence is preserved until the sentence is executed.

Wisconsin:

²⁰ If the petitioner would not have been convicted, the court must allow DNA testing. If the petitioner asserts that the verdict would have been more favorable, the court has discretion to allow testing.

Table 37. Making the Trial Record

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; ■=Yes

| | Does the court make a verbatim record of trials? | Methods used to create the record | | | | |
|------------------------------|--|-----------------------------------|------------|-----------------|-----------------|------------------|
| | | Steno type (court reporter) | Steno mask | Audio recording | Video recording | Other |
| Alabama | | | | | | |
| GJ Circuit | ■ | ■ | | ■ | | |
| LJ District | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| LJ Probate | | ~ | ~ | ~ | ~ | ~ |
| Alaska | | | | | | |
| GJ Superior | ■ | | | ■ | | |
| LG District | ■ | | | ■ | | |
| Arizona | | | | | | |
| GJ Superior | ■ | ■ | | ■ | ■ | |
| LJ Justice of the Peace | ■ | | | ■ | | |
| LJ Municipal | ■ | | | ■ | | |
| Arkansas | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | | |
| LJ District | | ~ | ~ | ~ | ~ | ~ |
| LJ City | | ~ | ~ | ~ | ~ | ~ |
| California | | | | | | |
| GJ Superior | ■ | ■ | | ■ ¹ | | |
| Colorado | | | | | | |
| GJ District | ■ | ■ | | | | |
| GJ Denver Probate | ■ | ■ | | | | |
| GJ Denver Juvenile | ■ | ■ | | | | |
| GJ Water | ■ | ■ | | | | |
| LJ County | ■ | ■ | | | | |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S |
| Connecticut | | | | | | |
| GJ Superior | ■ | ■ | | ■ | | |
| LJ Probate | | ~ | ~ | ~ | ~ | ~ |
| Delaware | | | | | | |
| GJ Superior | ■ | ■ | | ■ | | |
| LJ Chancery | | ~ | ~ | ~ | ~ | ~ |
| LJ Justice of the Peace | | ~ | ~ | ~ | ~ | ~ |
| LJ Family | ■ | | | ■ | | |
| LJ Common Pleas | ■ | | | ■ | | |
| LJ Alderman's | N/S | N/S | N/S | N/S | N/S | N/S |
| District of Columbia | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | | Digital recorder |
| Florida | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | ■ | |
| LJ County | ■ | ■ | ■ | ■ | ■ | |
| Georgia | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | |
| LJ Juvenile | ■ | ■ | ■ | ■ | ■ | |
| LJ Civil | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ State | ■ | ■ | ■ | ■ | ■ | |
| LJ Probate | | ~ | ~ | ~ | ~ | ~ |
| LJ Magistrate | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| LJ County Recorder's | ■ | ■ | ■ | ■ | ■ | |
| LJ Municipal/City of Atlanta | ■ | ■ | ■ | ■ | ■ | |
| Hawaii | | | | | | |
| GJ Circuit | ■ | ■ | | ■ | ■ | |
| LJ District | ■ | ■ | | ■ | ■ | |
| Idaho | | | | | | |
| GJ District | ■ | ■ | | ■ | | |
| LJ Magistrate's Division | ■ | | | ■ | | |
| Illinois | | | | | | |
| GJ Circuit | ■ | ■ | | ■ | ■ | |

Table 37. Making the Trial Record

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; ■=Yes

| | Does the court make a verbatim record of trials? | Methods used to create the record | | | | |
|-------------------------------|--|-----------------------------------|------------|-----------------|-----------------|-----------|
| | | Steno type (court reporter) | Steno mask | Audio recording | Video recording | Other |
| Indiana | | | | | | |
| GJ Superior and Circuit | ■ | ■ | ■ | ■ | ■ | |
| GJ Probate | ■ | ■ | | ■ | | |
| LJ County | ■ | ■ | | ■ | | |
| LJ City and Town | | ~ | ~ | ~ | ~ | ~ |
| LJ Small Claims/Marion County | | ~ | ~ | ~ | ~ | ~ |
| Iowa | | | | | | |
| GJ District | ■ | ■ | | ■ | | Real-time |
| Kansas | | | | | | |
| GJ District | ■ | ■ | | ■ | | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| Kentucky | | | | | | |
| GJ Circuit | ■ | ■ | | ■ | ■ | |
| LJ District | ■ | | | ■ | ■ | |
| Louisiana | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | | |
| GJ Juvenile & Family | ■ | ■ | ■ | ■ | | |
| LJ Justice of the Peace | | ~ | ~ | ~ | ~ | ~ |
| LJ Mayor's | | ~ | ~ | ~ | ~ | ~ |
| LJ City & Parish | ■ | ■ | ■ | ■ | | |
| Maine | | | | | | |
| GJ Superior | NR | NR | NR | NR | NR | NR |
| GJ District | NR | NR | NR | NR | NR | NR |
| LJ Probate | NR | NR | NR | NR | NR | NR |
| Maryland | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | ■ | |
| LJ District | ■ | | | ■ | | |
| LJ Orphan's | N/S | N/S | N/S | N/S | N/S | N/S |
| Massachusetts | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | | |
| LJ District | ■ | | | ■ | | |
| LJ Probate & Family | ■ | | | ■ | | |
| LJ Juvenile | ■ | | | ■ | | |
| LJ Housing | ■ | | | ■ | | |
| LJ Boston Municipal | ■ | | | ■ | | |
| LJ Land | ■ | | | ■ | | |
| Michigan | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | ■ | |
| GJ Claims | ■ | ■ | ■ | ■ | ■ | |
| LJ District | ■ | ■ | ■ | ■ | ■ | |
| LJ Probate | ■ | ■ | ■ | ■ | ■ | |
| LJ Municipal | ■ | ■ | ■ | ■ | ■ | |
| Minnesota | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | | |
| Mississippi | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | | |
| LJ Chancery | ■ | ■ | ■ | ■ | | |
| LJ County | ■ | ■ | ■ | ■ | | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| LJ Justice | | ~ | ~ | ~ | ~ | ~ |
| Missouri | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |

Table 37. Making the Trial Record

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; ■=Yes

| | Does the court make a verbatim record of trials? | Methods used to create the record | | | | |
|-----------------------------------|--|-----------------------------------|------------|-----------------|-----------------|-------|
| | | Steno type (court reporter) | Steno mask | Audio recording | Video recording | Other |
| Montana | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | ■ | |
| GJ Workers' Compensation | | ~ | ~ | ~ | ~ | ~ |
| GJ Water | ■ | ■ | ■ | ■ | ■ | |
| LJ Justice of the Peace | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ■ | ■ | ■ | ■ | ■ | |
| LJ City | | ~ | ~ | ~ | ~ | ~ |
| Nebraska | | | | | | |
| GJ District | ■ | ■ | | ■ | | |
| LJ Separate Juvenile | ■ | ■ | | ■ | | |
| LJ County | ■ | | | ■ | | |
| LJ Workers' Compensation | ■ | ■ | | ■ | ■ | |
| Nevada | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | ■ | |
| LJ Justice | ■ | ■ | ■ | ■ | ■ | |
| LJ Municipal | ■ | ■ | ■ | ■ | ■ | |
| New Hampshire | | | | | | |
| GJ Superior | ■ | ■ | | ■ | | |
| LJ District | ■ | | | ■ | | |
| LJ Probate | ■ | | | ■ | | |
| New Jersey | | | | | | |
| GJ Superior | ■ | ■ | | ■ | ■ | |
| LJ Tax | ■ | | | ■ | | |
| LJ Municipal | ■ | | | ■ | | |
| New Mexico | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | | |
| LJ Magistrate | | ~ | ~ | ~ | ~ | ~ |
| LJ Metropolitan/Bernalillo County | ■ | | | ■ | | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| LJ Probate | | ~ | ~ | ~ | ~ | ~ |
| New York | | | | | | |
| GJ Supreme | ■ | ■ | | ■ | | |
| GJ County | ■ | ■ | | ■ | | |
| GJ Claims | ■ | | | ■ | | |
| LJ Surrogates' | ■ | ■ | | ■ | | |
| LJ Family | ■ | ■ | | ■ | | |
| LJ District and City | ■ | ■ | | ■ | | |
| LJ NYC Civil | | ~ | ~ | ~ | ~ | ~ |
| LJ NYC Criminal | | ~ | ~ | ~ | ~ | ~ |
| LJ Town & Village Justice | ■ | ■ | | ■ | | |
| North Carolina | | | | | | |
| GJ Superior | ■ | ■ | ■ | | ■ | |
| LJ District | ■ | | | ■ | | |
| North Dakota | | | | | | |
| GJ District | ■ | ■ | | ■ | | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| Ohio | | | | | | |
| GJ Common Pleas | ■ | | ■ | ■ | ■ | |
| LJ Municipal | ■ | | ■ | ■ | ■ | |
| LJ County | ■ | | ■ | ■ | ■ | |
| LJ Claims | ■ | | ■ | ■ | ■ | |
| LJ Mayor's | ■ | | ■ | ■ | ■ | |
| Oklahoma | | | | | | |
| GJ District | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal Not of Record | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal of Record | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Workers' Compensation | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Tax Review | N/S | N/S | N/S | N/S | N/S | N/S |

Table 37. Making the Trial Record

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ =Not applicable; NR=No response; N/S=Not stated; ■ =Yes

| | Does the court make a verbatim record of trials? | Methods used to create the record | | | | |
|--------------------------------|--|-----------------------------------|------------|-----------------|-----------------|------------------|
| | | Steno type (court reporter) | Steno mask | Audio recording | Video recording | Other |
| Oregon | | | | | | |
| GJ Circuit | ■ | ■ | | ■ | ■ | |
| GJ Tax | ■ ² | | | ■ | | |
| LJ County | ~ ² | ~ | ~ | ~ | ~ | ~ |
| LJ Justice | ~ ² | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ~ ² | ~ | ~ | ~ | ~ | ~ |
| Pennsylvania | | | | | | |
| GJ Common Pleas | ■ | ■ ³ | ■ | ■ | ■ | |
| LJ Philadelphia Municipal | ■ | ■ ³ | ■ | ■ | ■ | |
| LJ Magisterial District Judges | | ~ | ~ | ~ | ~ | ~ |
| LJ Philadelphia Traffic | | ~ | ~ | ~ | ~ | ~ |
| Puerto Rico | | | | | | |
| GJ First Instance | NR | NR | NR | NR | NR | NR |
| Rhode Island | | | | | | |
| GJ Superior | ■ | ■ | | ■ | | |
| LJ Workers' Compensation | ■ | ■ | | | | |
| LJ District | ■ | | | ■ | | |
| LJ Family | ■ | ■ | | ■ | | |
| LJ Probate | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Traffic Tribunal | ■ | | | ■ | | |
| South Carolina | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | | |
| LJ Family | ■ | ■ | ■ | ■ | | |
| LJ Magistrate | ■ | | | ■ | ■ ⁴ | |
| LJ Probate | ■ | | | ■ | | |
| LJ Municipal | ■ | | | ■ | ■ ⁴ | |
| South Dakota | | | | | | |
| GJ Circuit | ■ | ■ | | | | |
| LJ Magistrate | ■ | | | | | Digital recorder |
| Tennessee | | | | | | |
| GJ Circuit | | ~ | ~ | ~ | ~ | |
| GJ Chancery | | ~ | ~ | ~ | ~ | |
| GJ Criminal | ■ | ■ | ■ | ■ | ■ | |
| GJ Probate | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Juvenile | ■ | ■ | ■ | ■ | ■ | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| LJ General Sessions | | ~ | ~ | ~ | ~ | ~ |
| Texas | | | | | | |
| GJ District | ■ | ■ | ■ | ■ | ■ | |
| LJ County-level | ■ | ■ | ■ | ■ | ■ | |
| LJ Justice of the Peace | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | ■ | ■ | ■ | ■ | ■ | |
| Utah | | | | | | |
| GJ District | ■ | ■ | | ■ | ■ | |
| LJ Justice | | ~ | ~ | ~ | ~ | ~ |
| LJ Juvenile | ■ | ■ | | ■ | ■ | |
| Vermont | | | | | | |
| GJ Superior | ■ | ■ | | ■ | ■ | |
| GJ District | ■ | ■ | | ■ | ■ | |
| GJ Family | ■ | ■ | | ■ | ■ | |
| LJ Probate | ■ | ■ | | ■ | | |
| LJ Environmental | ■ | ■ | | ■ | | |
| LJ Judicial Bureau | ■ | | | ■ | | |
| Virginia | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | ■ | |
| LJ District | | ~ | ~ | ~ | ~ | ~ |

Table 37. Making the Trial Record

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; NR=No response; N/S=Not stated; ■=Yes

| | Does the court make a verbatim record of trials? | Methods used to create the record | | | | Other |
|----------------------|--|-----------------------------------|------------|-----------------|-----------------|-------|
| | | Steno type (court reporter) | Steno mask | Audio recording | Video recording | |
| Washington | | | | | | |
| GJ Superior | ■ | ■ | ■ | ■ | ■ | |
| LJ District | ■ | | | ■ | ■ | |
| LJ Municipal | ■ | | | ■ | ■ | |
| West Virginia | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | ■ | |
| LJ Magistrate | | ~ | ~ | ~ | ~ | ~ |
| LJ Municipal | N/S | N/S | N/S | N/S | N/S | N/S |
| LJ Family | ■ | | | ■ | ■ | |
| Wisconsin | | | | | | |
| GJ Circuit | ■ | ■ | ■ | ■ | | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |
| Wyoming | | | | | | |
| GJ District | ■ | ■ | | | | |
| LJ Circuit | ■ | | | ■ | | |
| LJ Municipal | | ~ | ~ | ~ | ~ | ~ |

FOOTNOTES:

California:

¹ Audio recording is permitted in traffic, misdemeanor, small claims, and limited civil cases when a court reporter is unavailable.

Oregon:

² These courts are not required to make a record, but they may choose to do so.

Pennsylvania:

³ While these courts generally use court reporters (or audio equipment in some counties) for making the trial record, they may allow/order alternative recording methods in individual cases.

South Carolina:

⁴ Video recording is permitted in those courts that allow video conferencing.

Part VI: The Jury

This section uses several tables to describe jury selection, jury verdict rules in the state courts, and the composition and function of the grand jury in state courts.

“No person shall be held to answer for a capital, or other infamous crime, unless on a presentment or indictment at a grand jury.” That clause from the Fifth Amendment to the U.S. Constitution applies to all felony prosecutions in the federal courts. The information in Table 38 shows that while most states retain the option of a grand jury indictment, few require it to begin felony proceedings. A diminished role for the state grand jury in processing felony cases can be seen early in this century. Grand jury indictments were largely replaced by the practice of prosecutors filing a document called a criminal information, a practice ultimately upheld by the U.S. Supreme Court (*In re McNaught*, 1909; *Palko v. Connecticut*, 1937). Table 38 indicates whether a grand jury indictment is required for all felony prosecutions, the size of the grand jury, the number needed to indict, the statutory term of grand jury sittings, and the civic duties undertaken by grand juries.

Table 39 starts the description of trial juries by indicating the basis for the master list from which the jury pool is drawn and the relevant state statute. Most states use a variety of sources to compile a master list. Sources followed by an asterisk must be used; others are generally used at the discretion of local jury commissioners. Qualifications for jury service in terms of age, time elapsed since a prior jury service, residency, and English proficiency are specified. The table indicates, through footnotes, the states that have adopted the provisions of the Uniform Jury Selection and Service Act, which was drafted in 1970 by the National Conference of Commissions on Uniform State Laws.

Table 40 lists the factors that exempt an individual from jury duty. Exemptions are generally based on age or occupation. Twenty-four states and the District of Columbia do not grant automatic occupational exemptions; several other states limit exemptions to those on active military service. Excusals from jury service follow from claims of undue hardship, extreme inconvenience, public necessity, or mental disability. Table 40 also details the obligations that employers bear in each state toward maintaining the salaries of employees while on jury service. The daily fee, if any, paid to serving jurors is also indicated.

The allocation of peremptory challenges is described in Table 41. The number of peremptory challenges available to the parties to a dispute is indicated for civil and criminal cases. Criminal cases are subdivided into capital, felony, and misdemeanor cases. In criminal cases, the number of peremptory challenges may be different for the state and the defense. Additional

provisions for peremptory challenges are sometimes specified for the selection of alternate juries and in cases involving multiple parties.

Since 1970, U.S. Supreme Court decisions have allowed states to move away from the traditional federal jury standard of 12 members who must reach a unanimous verdict. Specifically, six-member juries were found to be constitutional in *Williams v. Florida*, 399 U.S. 78 (1970) and non-unanimous verdicts in *Apodaca v. Oregon*, 406 U.S. 404 (1972). Table 42 specifies jury size and verdict rules for felony, misdemeanor, and civil cases. The relaxation of traditional size and verdict requirements is most prevalent for misdemeanor criminal cases. Four states use eight- (Arizona and Utah) or six-member juries (Connecticut and Florida) in their courts of general jurisdiction for non-capital felonies, and two states (Louisiana and Oregon) and Puerto Rico do not require a unanimous verdict in such cases. States that continue to use a 12-member, unanimous verdict jury typically allow the parties to agree to a smaller, non-unanimous jury.

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Henry Stacey, *Evaluation of Grand Jury Cases Ignored and Indicted Within Sixty Days: Resources Used by the Criminal Justice Community*, Williamsburg, VA: National Center for State Courts, 2004.

Michael Vitiello and J. Clark Kelso, *Final Recommendation Reform of California Grand Jury Statutes*, Sacramento, CA: Capital Center for Government Law and Policy, 2003.

Michael Vitiello and J. Clark Kelso, *Grand Jury Background Study*, Sacramento, CA: Capital Center for Government Law and Policy, 2001.

For links to prominent web-sites devoted to jury issues, see <http://www.ncsconline.org/Juries/links.htm>.

Table 42:

NAACP Legal Defense and Education Fund, *Death Row U.S.A.* (a periodical).

Patrick E. Higginbotham, "Juries and the Death Penalty," *Case Western Reserve Law Review*, Volume 41, Number 4, 1991.

"'Black Box Decisions' on Life or Death--If They're Arbitrary, Don't Blame the Jury: A Reply to Judge Patrick Higginbotham," *Case Western Reserve Law Review*, Volume 41, Number 4, 1991.

Table 38. Grand Juries: Composition and Function

Legend: ~=Not applicable; N/S=Not stated; ■=Yes

| | Indictment required for all felonies?* | Grand jury size | Size of quorum | Number needed to indict | Statutory term | Special civil duties |
|-----------------------|--|-----------------------|----------------------|--|---|---|
| Alabama | ■ | 18 | 13 | 12 | Less than 50,000 population, not less than two per year; over 50,000 population, minimum of four per year | Inspect jails, examine county treasurer and education superintendent bookkeeping |
| Alaska | ■ | 12 to 18 | 12 | Majority | Up to four months, unless extended for good cause | Investigate and make recommendations about public safety and welfare |
| Arizona | | 12 to 16 | 9 | 9 | County grand jury, up to 120 days; statewide grand jury, six months | Investigate corruption of public officers |
| Arkansas | | 16 | 12 | 12 | 1 year maximum | Inspect prisons, investigate corruption of public officers |
| California | | 23/19/11 ¹ | 14/12/8 ¹ | 14/12/8 ¹ | 1 year | Investigate operation of local government, public records |
| Colorado | | 23/12 ² | 12/9 ² | 12/9 ² | 12 months, may be extended by six months | ~ |
| Connecticut | | 1-3 ³ | ~ | ~ | Varies | ~ |
| Delaware | ■ | 15/10 ⁴ | 9/7 ⁴ | 9/7 ⁴ | Serve for three months in NCC, and one year in Kent and Sussex | ~ |
| District of Columbia | ■ ⁵ | 16 to 23 | 16 | 12 | Up to 18 months, may be extended by six months | ~ |
| Florida | ■ ⁶ | 15 to 21 ⁷ | 12 | 12 | 12 months, may be extended by six months | Investigate political corruption, election rules violations |
| Georgia | | 16 to 23 | 16 | 12 | Coterminous with term of court for which summoned | Inspect jails, public buildings, offices of superior and probate courts, county treasurer, district attorney, school superintendent; appoint committee to inspect other county offices and officers |
| Hawaii | | 16 | 8 | 3/4, but not less than 8 of the jurors present | 1 year | ~ |
| Idaho | | 16 | 12 | 12 | 6 months | ~ |
| Illinois | | 16 | 12 | 9 | 18 months maximum | Inspect jails |
| Indiana | | 6 | 5 | 5 | Up to six months, may be extended up to two years | Submit status report on county homes and correctional facilities |
| Iowa | | 7 | 5 | 5 | 1 year, may be extended until investigation completed | Inspect public prisons, county institutions, places of detention, investigate misconduct of public officers |
| Kansas | | 15 | 12 | 12 | 3 months, may be extended to six | ~ |
| Kentucky | | 12 | 9 | 9 | 20 court days, 90 days for special grand jury | Investigate public corruption, election rules violations |
| Louisiana | | 12 | 9 | 9 | 4 to 8 months, one year in Cameron Parish | Inspect jails and other public facilities |
| Maine | ■ | 13 to 23 | 13 | 12 | 1 year maximum | ~ |
| Maryland | | 23 | 13 | 12 | Coterminous with term of court for which summoned | Inspect local jail conditions |
| Massachusetts | | 23 | 12 | 12 | 3 months, may be extended | ~ |
| Michigan ⁸ | | 13 to 17 | 13 | 9 | 6 months, may be extended up to one year | ~ |

Table 38. Grand Juries: Composition and Function

Legend: ~ = Not applicable; N/S = Not stated; ■ = Yes

| | Indictment required for all felonies?* | Grand jury size | Size of quorum | Number needed to indict | Statutory term | Special civil duties |
|-------------------------|--|-----------------|----------------|-------------------------|--|---|
| Minnesota | | 16 to 23 | 16 | 12 | 1 year maximum | Inspect prison management, investigate public corruption |
| Mississippi | ■ | 20 | 15 | 12 | 6 months | Inspect county offices, jails, tax books |
| Missouri | ⁹ | 12 | 12 | 9 | Up to six months; may be extended 60 days to complete work | Inspect public buildings, investigate conduct of public officers |
| Montana | | 11 | 11 | 8 | Varies | Inspect prisons, county books and records, investigate public corruption |
| Nebraska | | 16 | 12 | 12 | Varies | Inspect county jails |
| Nevada ¹⁰ | | 17 | 12 | 12 | 1 year | Inspect prisons and public records, investigate conduct of public officers |
| New Hampshire | ■ | 23 | 12 | 12 | 30 days maximum | |
| New Jersey | ■ | 23 | 12 | 12 | 20 weeks maximum | Investigate public affairs and conditions |
| New Mexico | | 12 | 12 | 8 | 3 months | Inspect jails |
| New York | ■ | 16 to 23 | 16 | 12 | No set term | Investigate conduct of public officers |
| North Carolina | ■ | 12 to 18 | 12 | 12 | 1 year (if judge finds burden on jurors and their employers is too great, may fix term at six months) | Inspect jails and other county offices or agencies |
| North Dakota | | 8 to 11 | 8 | 6 | 10 days | Inspect prisons, investigate public corruption |
| Ohio | ■ | 15 | 9 | 12 | Up to four months, may be extended to nine months | Inspect jails |
| Oklahoma | | 12 | 12 | 9 | 18 months, may be extended by six months | Investigate public officer conduct, prison management |
| Oregon | | 7 | 5 | 5 | Varies by county | Inspect jails and youth detention facilities |
| Pennsylvania | | 23 | 15 | ~ | 18 months, may be extended by six months | ~ |
| Puerto Rico | N/S | N/S | N/S | N/S | N/S | N/S |
| Rhode Island | ■ ¹¹ | 13 to 23 | 13 to 23 | 12 | 18 months maximum | ~ |
| South Carolina | ■ | 18 | 12 | 12 | 2 year maximum | Investigate conduct of public officers |
| South Dakota | | 6 to 10 | 6 | 6 | 18 months maximum | Inspect prisons, investigate conduct of public officers, examine public records |
| Tennessee | ■ | 13 | 12 | 12 | Foreperson serves for two years. The other 12 serve until dismissed by the judge or until the next term. | Inspect conditions and management of prisons and other county buildings, investigate conduct of public officers, inquire into county treasury |
| Texas | ■ | 12 | 9 | 9 | Varies | ~ |
| Utah | | 9 to 15 | 9 | 3/4 of jury | 18 months, may be extended by six months | ~ |
| Vermont | | 18 to 23 | 18 | 12 | 6 months | ~ |
| Virginia | ■ | 5 to 7 | 5 | 4 | 1 year, may be extended by six months | ~ |
| Washington | | 12 | 12 | 3/4 of jury | 60 days, may be extended by 60 days | Investigate public corruption |
| West Virginia | ■ | 16 | 15 | 12 | 1 term (4 months), may be extended | ~ |
| Wisconsin ¹² | | 17 | 14 | 12 | 31 consecutive days, or time necessary to complete proceedings | ~ |

Table 38. Grand Juries: Composition and Function

Legend: --=Not applicable; N/S=Not stated; ■=Yes

| | Indictment required for all felonies?* | Grand jury size | Size of quorum | Number needed to indict | Statutory term | Special civil duties |
|---------|--|-----------------|----------------|-------------------------|---|----------------------|
| Wyoming | | 12 | 9 | 9 | Up to 1 year, may be extended by six months | Inspect jails |

*Unless waived by the accused; "No" = not required, but available.

Note: Grand juries in all states have the power to investigate crimes. In all but two states, Connecticut and Pennsylvania, grand juries also return indictments.

FOOTNOTES:

California:

¹ In counties with populations exceeding four million, there are 23 members on a grand jury, with 14 as the number needed for a quorum and to indict; in counties having a population less than 20,000, there are 11 members on the grand jury, with eight as the number needed for a quorum and to indict; in all other counties, there are 19 members on the grand jury, with 12 as the number needed for a quorum and to indict.

Colorado:

² Upon motion by district attorney and for good cause, a grand jury may consist of 23 jurors, with 12 as the number needed for a quorum and to indict; otherwise, grand juries consist of 12 members, with nine as the number needed for a quorum and to indict.

Connecticut:

³ The grand jury is composed of judges.

Delaware:

⁴ In New Castle County a grand jury consists of 15 members, with indictment by nine. In Kent and Sussex Counties a grand jury is composed of 10 members, with indictment by seven.

District of Columbia

⁵ A defendant may waive his/her right to a grand jury in non-capital cases.

Florida:

⁶ A grand jury indictment is required for capital felonies, but optional for other felonies.

⁷ Statewide, a grand jury consists of 18 jurors, with 15 as the number needed for a quorum, and 12 as the number needed to indict.

Michigan:

⁸ For multi-county grand juries, the Court of Appeals shall designate the number of jurors to be drawn. (MCL 767.7e)

Missouri:

⁹ Grand juries may be called by the Circuit Court.

Nevada:

¹⁰ Every public offense must be prosecuted by indictment or information, except removal of civil officer, offenses arising in militia, and offenses tried in municipal or justice court.

Rhode Island:

¹¹ A grand jury indictment is required in capital and life imprisonment cases only.

Wisconsin:

¹² Wisconsin has not convened a grand jury in at least 30 years, although the grand jury statute is still on the books. As a practical matter, it serves no function.

Table 39. Trial Juries: Qualifications and Source Lists for Juror Service

Legend: ~=Not applicable; ■=Yes (see end of table for additional abbreviations and definitions)

Note: All States require jurors to be U.S. Citizens.

| State/ Statutory authority | Permissible sources of master list | Minimum age (yrs) | Time since prior jury service | Are convicted felons disqualified? | Residency requirement | English** required? |
|---|---|----------------------|--|--|---|------------------------|
| Alabama § 12-16-60 | May include VR, DL, and other lists such as UC, TR, and MVR ¹ | 19 | ~ | Yes, if lost right to vote for any crime involving moral turpitude | 1 year county resident | ■ |
| Alaska §09.20.050 | DL, and applicants for permanent fund income* | 18 | 1 year or no more than 3 months in a two-year period | Yes | District resident | ■ |
| Arizona §21 | VR, DL, and persons from other lists as determined by the Supreme Court* | 18 | Varies | Yes, unless civil rights are restored | Resident of jurisdiction | |
| Arkansas §16-31-101 | VR*, DL | 18 | 2 years | Yes | County resident, registered voter | ■ ² |
| California CCP 190-237 | May include, in addition to other lists, customer mailing lists, TD, UC, VR, DL ³ | 18 | 1 year | Yes, and those whose civil rights have not been restored, also "malfeasance in office" | County resident | ■ |
| Colorado §13-71 | VR supplemented with DL and non-driver identification cards, and modified by other lists | 18 | 1 year | No, except as grand jurors | County resident- more than 50% of time | ■ |
| Connecticut §51-217 | TR, VR, DL*, Department of Labor | 18 | 3 years (juror must request excuse) | Yes, for 7 years following conviction or a defendant in a pending felony case | Electors and state residents | ■ |
| Delaware §4501 | VR* and DL | 18 | ~ | Yes, unless civil rights are restored | County resident | ■ |
| District of Columbia §11-1906 | TR, DL, VR*, and names from other sources or lists as may be provided in the jury system plan | 18 | 2 years | Yes | Resident of DC | ■ |
| Florida §5-40 | DHSMV database ⁴ and volunteers who execute an affidavit at the office of the clerk, even if not on the DHSMV database list* | 18 | 1 year | Yes, includes bribery, forgery, perjury, and larceny, unless civil rights are restored, and any person under prosecution for any crime | County resident | |
| Georgia §15-12 | DL, non-driver ID cards, and VR, supplemented with other sources if necessary to assure a fairly representative cross section*; discretion exercised by the board of jury commissioners | 18 | No more than 4 weeks in one year | Yes, including service as grand jurors | Grand juror - citizen of county 6 months prior to service | |
| Hawaii §612 | VR, supplemented with other lists such as TR, DL | 18 | 1 year | Yes, unless pardoned | Resident of circuit | ■ |
| Idaho §2-201 | VR supplemented with names from other lists, such as UC, TR, DL MVR, "which the Supreme Court from time to time designates"* | 18 | No more than 10 days in two years | Yes, if lost the right to vote because of felony conviction and has not had that right reinstated | County resident | ■ |
| Illinois 705 ILCS 305 | VR, DL, Illinois Disabled Person ID card*, and Illinois ID Card holder | 18 | ~ | Yes, free from all legal exception | County resident | ■ |
| Indiana ⁵ §33-28 | VR, supplemented with other lists such as UC, TR, CD, DL, TD, MVR*. ⁶ | 18 | 1 year | Yes, and rights not restored or any person under a sentence, except in Lake County, which is felony conviction only | County resident | ■ |

Table 39. Trial Juries: Qualifications and Source Lists for Juror Service

Legend: ~ = Not applicable; ■ = Yes (see end of table for additional abbreviations and definitions)

Note: All states require jurors to be U.S. Citizens.

| State/ Statutory authority | Permissible sources of master list | Minimum age (yrs) | Time since prior jury service | Are convicted felons disqualified? | Residency requirement | English** required? |
|--|---|----------------------|--|--|---|------------------------|
| Iowa §607A.4 | VR, DL*; may use other lists including, but not limited to UC, which the jury commission or jury manager determines suitable | 18 | Not to exceed 3 months of service in a two-year period | Yes, unless civil rights restored | County resident or division of county | ■ ⁷ |
| Kansas §43-155 | VR, DL*; lists of state-issued non-drivers' identification cards may be used | 18 | 1 year | Yes, within 10 years of conviction, guilty plea, or nolo contendere to felony charge | County resident for at least 20 days, qualifications of elector | ■ |
| Kentucky §29A | VR, TR, DL* | 18 | 24 months | Yes, and rights not restored or presently under indictment | County resident | ■ |
| Louisiana ⁸ S.Ct.R. 25; La. CCRP, Art. 401 et seq. | VR, DL (discretionary), sometimes supplemented with other lists as determined by each judicial district | 18 | 2 years; District Courts may change this to four | Yes, or presently under indictment | 1 year parish resident | ■ |
| Maine ⁹ S. 1201-A | DL, Volunteers* (these lists may be supplemented with names from other lists specified by the Supreme Judicial Court), ID card holders | 18 | No more than 15 days in five years | ~ | County resident | ■ |
| Maryland §8-207 | DL, non-driver ID cards | 18 | 3 years ¹⁰ | Yes, or a charge pending for crime exceeding \$500 or six months punishment | Qualified to vote in county | ■ |
| Massachusetts 234A | Numbered resident list* | 18 | 3 years | Convicted of felony within past 7 years, or defendant in felony case, or is in custody of a correctional institution | District resident | ■ ¹¹ |
| Michigan §600.1307a | DL, personal identification cardholder lists* | 18 | 1 year | Must not be under sentence for felony at time of selection | County resident | ■ |
| Minnesota §593 | VR, DL*, and personal identification cardholder list. Source list may be supplemented with names from other lists specified in the jury administration plan | 18 | 2 years | Yes, unless civil rights restored | County resident | ■ |
| Mississippi ¹¹ §13-5-1 | VR* | 21 | 2 years | Convicted of an infamous crime, bootleggers, habitual drunkards, and common gamblers | Qualified elector or 1 year as resident freeholder | ■ |
| Missouri §494.4 | "One or more public records"* plus DL, VR on request | 21 | 1 year ¹³ | Yes, unless civil rights restored | County resident or resident of city not within a county | ■ |
| Montana §3-15 | VR* | 18 | 1 year | Malfeasance in office or any felony or high crime | Registered elector | |
| Nebraska §25-1601 | VR, DL* | 19 | Not more than 4 weeks in any five year period | Yes, and all other legal exceptions | County resident | ■ |
| Nevada §6.045 | VR*, other lists; discretion exercised by county jury commissioners | 18 | 1 year | Yes, if convicted of treason, felony, or other infamous crime (unless civil rights restored) | Qualified elector | ■ |
| New Hampshire §500A | DL, VR | 18 | 3 years | Yes, unless annulled | ~ ¹⁴ | ■ |

Table 39. Trial Juries: Qualifications and Source Lists for Juror Service

Legend: --=Not applicable; ■=Yes (see end of table for additional abbreviations and definitions)

Note: All States require jurors to be U.S. Citizens.

| State/ Statutory authority | Permissible sources of master list | Minimum age (yrs) | Time since prior jury service | Are convicted felons disqualified? | Residency requirement | English** required? |
|---|---|---------------------------|---|---|---|------------------------|
| New Jersey §2B:20 | DL*, VR*, TR*, and homestead rebate filers* | 18 | 3 years | Yes | County resident | ■ |
| New Mexico §38-5-1 | VR, DL* | 18 | 3 years | Yes | County resident | ¹⁵ |
| New York §16-506 | VR, DL, TR, UC, unemployment, welfare, and volunteers | 18 | 4 years | Yes | County resident | ■ |
| North Carolina §9-3 | VR, DL*, may use other sources deemed to be reliable | 18 | 2 years | Yes, or pleaded nolo contendere to indictment charging a felony | State citizen, county resident | ■ |
| North Dakota ¹⁶ §27.091-08 | Actual voters, supplemented with other lists such as UC, TR, DL, and MVR, which the Supreme Court designates | 18 | 2 years | Yes, if also lost right to vote | County and state resident | ■ |
| Ohio §2313.06, §1901.25, §1907.28 | VR, DL*, ¹⁷ | 18, eligible if driver | 1 year | Yes | County or municipality's territory | |
| Oklahoma §38s28 | DL, Volunteers*, ¹⁸ | 18 | 2 years | Yes, unless civil rights are restored | State residents and qualified electors | |
| Oregon ORS Ch. 10 | VR, DL, "and any other sources approved by the Chief Justice of the Supreme Court that will furnish a fair cross section"* | 18 | 2 years | Yes, unless civil rights are restored | County resident | |
| Pennsylvania Chapter 45 of the Judicial Code 42 PA.C.S. §4501 et seq | VR*, may supplement with lists such as TD, CD, TR, persons participating in any state, local or federal program, school census list, and volunteers | 18 | 3 years if service more than 3 days, 1 year otherwise | Yes | Commonwealth citizen, county resident | ■ |
| Puerto Rico LPRA title 34A, rule 96 | List of actual voters | 18 | 1 year | Yes, as well as "offense of moral turpitude" | Resident of PR 1 year and 90 days within judicial district | ¹⁹ |
| Rhode Island §9-9-1.1 | VR*, MVR, TR, unemployment lists | 18 | 3 years | Yes, until sentence completion | Resident (30 days) | ■ |
| South Carolina §14-7-110 et seq | DL, VR*; discretion exercised by a jury commission composed of civil servants | 18 | 3 years | Yes, unless civil rights are restored | County resident | ■ |
| South Dakota §16-13-10 | VR, supplemented with DL* | 18 | 2 years | Yes, unless civil rights are restored | State citizen, and jury or county resident | ■ |
| Tennessee §22-1-101 | TR, DL, VR, or other available and reliable sources, "but shall not include the VR as the sole or primary source;" discretion exercised by a jury commission composed of civil servants | 18 | 2 years | Yes, if convicted of infamous offenses, theft, or perjury | County resident for 12 months | |

Table 39. Trial Juries: Qualifications and Source Lists for Juror Service

Legend: --=Not applicable; ■=Yes (see end of table for additional abbreviations and definitions)

Note: All states require jurors to be U.S. Citizens.

| State/ Statutory authority | Permissible sources of master list | Minimum age (yrs) | Time since prior jury service | Are convicted felons disqualified? | Residency requirement | English** required? |
|--------------------------------------|--|----------------------|---|---|--|------------------------|
| Texas Gov. Code, Ch. 62 | VR, DL* | 18 | 3 months County Court; 6 months District Court | Yes, and if under indictment or other legal accusation for misdemeanor theft or a felony | State citizen, county resident, and qualified elector | ■ |
| Utah §78-46-7 | DL*, VR** ²⁰ | 18 | 2 years | Yes, unless expunged | County resident | ■ |
| Vermont VSA title IV, §962 | VR, Census, and other general source of names | 18 | No more than 3 times in two years | Yes | Resident of court's geographical jurisdiction | ■ |
| Virginia §8.01-337 | VR, and, where feasible, DL, CD, TD, TR, and "other such lists as approved by the chief judge of the circuit"* | 18 | 3 years | Yes, and treason | 1 year commonwealth resident, 6 months local; excludes military stationed in Virginia | ■ |
| Washington RCW 2.36.070 | VR*, DL* | 18 | 1 year (only if served more than two weeks) | Yes, unless civil rights are restored | County resident | ■ |
| West Virginia §52-1-8 | Not less than two of the following: TR, VR, DL or chauffeurs license* | 18 | 2 years | Yes, and perjury, false swearing or other infamous crime | County resident | ■ ²¹ |
| Wisconsin §756 | DL*, may be supplemented with other lists, including, but not limited to, VR, TD, UC, TR, high school graduates, and welfare lists ²² | 18 | 4 years ²³ | Yes, unless civil rights are restored | Resident of Circuit Court area | ■ |
| Wyoming §1-11-101 | VR*, DL | 18 | Remainder of jury term and next term in court's discretion | Yes, unless pardoned or civil rights restored | County resident 30 days | ■ |

**Must be able to read, speak, and understand English.

ABBREVIATIONS:

CD=City/County directories
DL=Driver's license
MVR=Motor vehicle registration
TD=Telephone directory

TR=Tax roll
UC=Utility customer
VR=Voter registration
*=Mandatory list

Definition:

UJSSA: The National Conference of Commissioners on Uniform State Laws, the Uniform Jury Selection and Service Act (1970).

FOOTNOTES:

Alabama:

¹All counties use an automated one-step juror summoning and qualification program, which uses the state's driver's license list, except for Montgomery County and Tuscaloosa County, which use the voter's registration list.

Arkansas:

² A judge may waive this requirement for persons found otherwise capable.

California:

³ The VR and DL lists alone, if purged of duplicate names, shall be considered a representative cross section.

Florida:

⁴ The Department of Highway Safety and Motor Vehicles (DHSMV) database is used rather than the "driver's license" list, because that is discriminatory against persons with disabilities and other individuals who do not drive.

Indiana:

⁵ Indiana has adopted the UJSSA.

⁶ Discretion exercised by court-appointed commissioners.

Iowa:

⁷ Manually signed mode of English is acceptable.

Louisiana:

⁸ A judge may disqualify a juror when there is reasonable doubt of his/her competency.

Maine:

⁹ Maine has adopted the UJSSA.

Table 39. Trial Juries: Qualifications and Source Lists for Juror Service

| | |
|---|---|
| Maryland: ¹⁰ In cases where petit juror service is less than five days, the limitation is reduced to one year. | Oklahoma: ¹⁸ Discretion is exercised by a jury commission except in Oklahoma and Tulsa counties. |
| Massachusetts: ¹¹ G.L. c 234A §4 does not require the ability to read English. | Puerto Rico: ¹⁹ An individual must be able to read and write Spanish to be eligible. |
| Mississippi: ¹² Mississippi has adopted the UJSSA. | Utah: ²⁰ The Judicial Council shall designate one or more regularly maintained lists of persons as the source for the master lists. In San Juan County, the Council has designated the Navajo Tribal Roll as a third source list. |
| Missouri: ¹³ Any person who has served on a state or federal petit or grand jury within the preceding year shall be excused upon timely application to the court. | West Virginia: ²¹ The ability to communicate in American Sign Language is acceptable. |
| New Hampshire: ¹⁴ By statute, prospective juror must state on the juror qualification form whether he/she is a citizen of United States and resident of the county. The Constitution requires the trial for a crime to be held in the county or judicial district it was committed in. | Wisconsin: ²² Each year the Department of Transportation prepares and transmits by county a master list of all persons licensed or holding DOT identification cards in that county. Each county has the option of using the master list only, or in combination with any other comparable list, from which to randomly select potential jurors. ²³ A one-day rule exists in those jurisdictions that choose to adopt it in which jurors are not required to do more than a day in any two-year period. |
| New Mexico: ¹⁵ Article VII, Section 3 of the New Mexico constitution declares that the right of citizens to sit on juries shall not be denied because of inability to read, speak or write English or Spanish. | |
| North Dakota: ¹⁶ North Dakota has adopted the UJSSA. | |
| Ohio: ¹⁷ The list is compiled through random selection followed by a personal interview with two-member citizen jury commission. | |

Table 40. Trial Juries: Exemptions, Excusals, and Fees

Legend: ~=Not applicable; N/S=Not stated; ■=Yes

| | Exemptions | | | Employer pays? | Juror compensation: | |
|-----------------------------|---------------------------|---|---|------------------------|--|---|
| | Age | Professions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT) | Term of service | | Base pay (per day) | Increase at X day of service |
| Alabama | N/S | ~ | Varies ¹ | ■ ² | \$10 | ~ |
| Alaska | 70 and request in writing | JO, health exemption if expected to last more than two years, teachers from schools failing to make adequate yearly progress under the No Child Left Behind Act | Varies ³ | | \$12.50 for half day. Anchorage: \$5.00 for half day, then \$12.50 for half day thereafter | Only in Anchorage, where the regular rate of \$12.50 is paid only on service after first half day |
| Arizona | N/S | No exemptions | Varies ⁴ | | \$12 | ~ |
| Arkansas | N/S | No exemptions | 24 days ⁵ | | \$15 \$35 if sworn | ~ |
| California | N/S | No exemptions | 1-day/1-trial | | \$15 | No fee for first day, \$15 thereafter. |
| Colorado | N/S | No exemptions | 1-day/1-trial | ■ First 3 days | \$50 ⁶ | State pays for all days after third day |
| Connecticut | 70 | JO and EL disqualified while General Assembly in session. Governor, Lieutenant Governor, Secretary of State, Treasurer, Comptroller, Attorney General | ~ | ■ First 5 days only | \$50 | \$0 for 5 days, then \$50 ⁷ |
| Delaware | N/S | No exemptions | 1-day/1-trial | | \$20 | No fee for first day, \$20 thereafter |
| District of Columbia | N/S | No exemptions | 1-day/1-trial | ■ | \$30 | \$4 for first day, \$30 thereafter |
| Florida | 70 | JO, PO, Governor, Lieutenant Governor, cabinet officer, clerk of court | 1-day/1-trial | | \$30 | \$15 for 1st 3 days, \$30 thereafter ⁸ |
| Georgia | 70 ⁹ | EL while General Assembly is in session. Permanently mentally or physically disabled | No more than 4 weeks in one year | | \$5-\$35 – varies by county ¹⁰ | ~ |
| Hawaii | N/S | JO, PO, EL, DR, AT, police, active military, clergy, dentists, fire fighters, any person who has served as juror in Hawaii within one year preceding the time of filling out the juror qualification form | 1-day/1trial, not more often than once a year | | \$30 | ~ |
| Idaho | 70 and request in writing | No exemptions | 10 days ¹¹ | | \$10 ¹² | \$5 for half day \$10 for more than half day |
| Illinois | N/S | No exemptions | ~ | | \$4 - \$15.50, as determined by county board | ~ |
| Indiana | 65 | JO, PO, EL and active military, dentists, veterinarians, police, and firefighters | 1-day/1-trial | | \$15-17.50 for reporting for jury duty, \$40 if sworn | ~ |
| Iowa | N/S | No exemptions | Not more than 3 months in a two-year period | | \$10 | ~ |

Table 40. Trial Juries: Exemptions, Excusals, and Fees

Legend: ~=Not applicable; N/S=Not stated; ■=Yes

| | Exemptions | | | Employer pays? | Juror compensation: | |
|----------------------|--------------------------------------|---|---|---|---|--|
| | Age | Professions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT) | Term of service | | Base pay (per day) | Increase at X day of service |
| Kansas | N/S | Persons required elsewhere for public welfare, health, or safety. Observers of the Sabbath shall be exempt from jury service on Saturday | No person shall sit as juror more than once per year | | \$10 | ~ |
| Kentucky | None | No exemptions | No more than 30 days in 24 months | | \$12.50: \$5 service plus \$7.50 expenses | ~ |
| Louisiana | 70 | No exemptions ¹³ | Varies by district court local rules ¹⁴ | ■ 1 day of wages during jury service | \$12 ¹⁵ | ~ |
| Maine | N/S | Governor, JO, AT, physicians and dentists providing active patient care, sheriffs, active military | No more than 15 days of service in a five-year period | | \$10 | ~ |
| Maryland | 70 and request in writing | No exemptions, except military | No more than 1 term or trial in three years | | \$15-30 depending on jurisdiction | ~ |
| Massachusetts | 70 and request in writing | No exemptions | 1-day/1-trial | ■ First 3 days | \$50 | Employer pays first 3 days, then state pays \$50/day ¹⁶ |
| Michigan | 70 | No exemptions | 1-day/1-trial | | \$25 for first full day and 12.50 for half day | \$40 after first day for a full day, and \$20 for half day |
| Minnesota | 70 | JO | Varies based on jurisdiction ¹⁷ | | \$20 | ~ |
| Mississippi | 65 | No exemptions | No more than 1 week in two years, unless deficiency of jurors | | \$25 | ~ |
| Missouri | N/S | DR, JO, active military, less than age 21, felonies, unable to speak, read, or write English (except hearing or sight impairment), mental or physical infirmity | No more than 2 days in 5 circuits, 20 days in 40 circuits | | \$6 ¹⁸ | ~ |
| Montana | N/S | No exemptions | 1 year on jury list. | | \$12-\$25 | \$12 per day for reporting, \$13 additional per day if sworn |
| Nebraska | 65 | JO, court clerks, jailers, sheriffs, husband and wife not allowed on same panel, and parties to a pending suit | No more than 4 calendar weeks in five years | ■ ¹⁹ | \$35 | ~ |
| Nevada | 70, 65 if lives 65+ miles from court | EL and legislative employee during session | 1 year ²⁰ | | \$40 per day after 2 nd day of selection, and \$40 per day for each day of service ²¹ | |
| New Hampshire | 70 | JO, EL while in session | No more than 30 days, unless completing a trial | | \$10 per half day | ~ |
| New Jersey | 75 and request in writing | No exemptions | Varies from 1 day to 1 week ²² | | \$5 | \$40 per day after third day |

Table 40. Trial Juries: Exemptions, Excusals, and Fees

Legend: ~=Not applicable; N/S=Not stated; ■=Yes

| | Exemptions | | | Employer pays? | Juror compensation: | |
|-----------------------|-----------------------------|---|--|-----------------------|---|--|
| | Age | Professions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT) | Term of service | | Base pay (per day) | Increase at X day of service |
| New Mexico | N/S | No exemptions | Varies ²³ | | State minimum wage | ~ |
| New York | N/S | No exemptions | 5 days or until end of trial | Partial ²⁴ | \$40 | ~ |
| North Carolina | 65 | No exemptions | Varies by county: 1 week or 1-day/1-trial | | \$12 | \$12 for first 5 days, then \$30 per day |
| North Dakota | N/S | No exemptions | No more than 10 days in two years or one trial | | \$25 | \$25 for first day, \$50 per day thereafter |
| Ohio | Older than 75, if requested | Members of the Amish community | 2 weeks or one trial | | Varies among counties | After 10 days ²⁵ |
| Oklahoma | 70 | JO, sheriffs, jailers, police, AT, EL | 18 days or one trial | | \$20 | ~ |
| Oregon | 70 | No exemptions | No more than 10 days, but changing to 1-day/1-trial | | \$10 first 2 days | On 3 rd day, increases to \$25 |
| Pennsylvania | N/S | No exemptions except active military, and families of criminal homicide victims | 3 days ²⁶ | | \$9 first 3 days | On 4 th day, increases to \$25 |
| Puerto Rico | N/S | PO, JO, EL, DR, AT, military, public employees, clergy, school employees, hospital/medical employees, morticians, employees of prisons, employees of ships/shippers, carrier employees, police, news employees, public transportation employees, small business owners, US District Court jurors | No more than 3 months total in a year; no more than 1 month in a row unless hearing a case | | \$6 per day. \$8 per day if juror travels from Culebra or Vieques | ~ |
| Rhode Island | N/S | EL, JO, AT, sheriffs, marshals, police, firemen, active military, probation/parole officers, clerk of court, staff of the Jury Commissioner's Office | ½ days or end of trial | | \$15 | ~ |
| South Carolina | 65 | "Any person employed within the walls of any courthouse" | 1-day/1-trial | | \$2-12.50 | ~ |
| South Dakota | N/S | Clergy if conflicts with religious beliefs, penitentiary employees | N/S | | \$10 appearance fee, \$50 per day if empanelled | ~ |
| Tennessee | 65 | EL, AT, DR, teachers, firemen, national guard, pharmacists, PO, JO, sole proprietors of businesses, nurses, certified public accountants, persons not fully possessed of sight or hearing, clergy | Varies ²⁷ | ■ ²⁸ | \$10 minimum; may be supplemented by local body | ~ |
| Texas | 70 | Officer or an employee of the Senate, house of representatives, or any department commission, board, office, or other agency in the legislative branch of state government, active-duty military, students, parents needing to care for children younger than 10, primary caretaker of invalid person | N/S | | Not less than \$6 for the first day | Not less than \$40 for the 2 nd and subsequent days |
| Utah | None | No exemptions | 1-day/1-trial | | \$18.50 | Day 1= \$18.50; subsequent days=\$49 |

Table 40. Trial Juries: Exemptions, Excusals, and Fees

Legend: ~ = Not applicable; N/S = Not stated; ■ = Yes

| | Exemptions | | | Juror compensation: | | |
|----------------------|------------|---|---|---------------------|------------------------------------|---|
| | Age | Professions: Judicial Officers (JO), Public Officials (PO), Elected Legislators (EL), Physicians (DR), Attorneys (AT) | Term of service | Employer pays? | Base pay (per day) | Increase at X day of service |
| Vermont | N/S | No exemptions | Must appear for venire for no more than 3 times in two years or one trial | | Between \$15 and \$30 | Varies |
| Virginia | 70 | President and Vice President of U.S., JO, EL, PO, AT, sheriffs, police, correctional employees, sole proprietors | Must be available for 1 full term of court; actual length varies | | \$30 | ~ |
| Washington | N/S | No exemptions | Varies among counties | | \$10 - \$25, varies among counties | ~ |
| West Virginia | 65 | No exemptions | 30 days or one full trial | | \$40 | ~ |
| Wisconsin | N/S | No exemptions | 1-day/1-trial or 1 time in 4 years | | \$16 minimum per day | ~ |
| Wyoming | 72 | EL, elected PO, police, firemen | Varies ²⁹ | | \$30 | \$30 for first 5 days, then \$50 at discretion of the court |

FOOTNOTES:

- Alabama:**
¹ Jury service rarely exceeds five days.
² Full-time employees are entitled to their regular wages from employers, less any amount received as a juror fee by the juror from the state.
- Alaska:**
³ The term of service depends on the population of the locality. No more than five consecutive days are required in Anchorage. Terms range from 30 or 90 days to one year in other areas.
- Arizona:**
⁴ The counties of La Paz, Maricopa, Mohave, Pima, and Pinal employ a 1-day/1-trial policy.
- Arkansas:**
⁵ No juror shall be required to report for more than six months, nor for more than 24 days, unless completing a trial on which the juror has been selected to serve.
- Colorado:**
⁶ Fees include expenses to unemployed jurors.
- Connecticut:**
⁷ An employer pays full-time employed jurors' regular wages for the first five days. Part-time employed jurors and unemployed jurors are reimbursed for out-of-pocket expenses.
- Florida:**
⁸ If the juror continues to receive compensation from his/her employer while serving on a jury, then the juror is not entitled to juror fees for the first three days of service, but will receive \$30 per day after the third day.
- Georgia:**
⁹ A person 70 years or older can request to have their name removed from the juror list.
¹⁰ The first grand jury at the Fall term of the Superior Court of the several counties shall fix an expense allowance for jurors between \$5 and \$35.
- Idaho:**
¹¹ In any two-year period, no juror will be required to serve as a juror in more than one proceeding, nor be required to be available for service for more than six months, nor be required to attend court as a prospective juror for more than 10 days.
¹² If a juror must travel more than 30 miles to attend court, then they will receive \$10 for a half-day, rather than \$5.
- Louisiana:**
¹³ All exemptions were eliminated in 1994.
¹⁴ This varies by local district court rule. Some districts use 1-day/1-trial while other may require a term of service from one to three weeks.
¹⁵ Jurors are compensated \$12 for civil cases, not less than \$12 for criminal cases nor more than \$25 for each day of attendance in court. Orleans Parish civil cases are \$16.
- Massachusetts:**
¹⁶ Fees include expenses to unemployed jurors. Such expenses may be paid from the first day of service.
- Minnesota:**
¹⁷ In jurisdictions with populations greater than 100,000, the juror's maximum term of service is two weeks or one trial. In jurisdictions with populations less than 100,000 but more than 50,000 the maximum term is two months or one trial. In smaller jurisdictions the maximum term is four months or one trial.
- Missouri:**
¹⁸ A county can increase the base pay. If the county increases the base pay to \$18 per day, the state pays \$6 per day. The statute allows one circuit to have a graduated amount (no payment for the first two days, \$50 per day thereafter).
- Nebraska:**
¹⁹ An employer may not subject an employee to loss of pay for missing work for jury duty; however, the employer may deduct from the employee's wages the amount paid by the court to the employee.
- Nevada:**
²⁰ If drawn from the jury box, a juror is liable to respond to a venire at any time unless the juror has been called and actually served in attendance on a jury in the previous year.
²¹ Jurors also receive mileage and lodging allowance if travel is more than 65 miles from the court.
- New Jersey:**
²² The term of service is determined by the assignment judge, but cannot be more than one week per Supreme Court policy. Eleven of 21 counties have one or two day terms of service. Once selected, a juror will not be called again for three years.
- New Mexico:**
²³ No juror will be called to a venire more than six months in any year, or, in counties with populations over 300,000, no more than three months in any year. No juror will be called as a member of a panel for more than six weeks in any year, unless engaged in a trial. After actual service on a jury panel, a juror will not be liable to serve again for 36 months.

Table 40. Trial Juries: Exemptions, Excusals, and Fees**New York:**

²⁴ Employers with more than 10 employees pay \$40 for the first three days; thereafter, the state pays. If the employer pays the entire salary the state pays nothing. Jurors who work for employers with 10 or fewer employees (who do not pay regular wages while on jury duty) or jurors who are not employed receive \$40 per day from the state.

Ohio:

²⁵ After 10 days the juror fee increases to 1.5 times the normal rate or \$15, whichever is greater.

Pennsylvania:

²⁶ If a juror serves a term of more than three days, that juror will not be liable to serve again for three years. If the juror serves a term of less than three days, the juror will not be liable to serve again for one year.

Tennessee:

²⁷ In counties with a population over 600,000 juror service is limited to no more than 15 days in any year, unless necessary to complete a trial.

²⁸ Employer must pay the juror the regular compensation the juror would have received for that day, had the juror not been required to serve jury duty. The employer may deduct from the juror's pay the amount paid to the juror as juror fees. Small employers with less than five employees do not have to pay employees for the time they serve on jury duty.

Wyoming:

²⁹ After serving on a trial, a juror is exempt for the rest of that jury term. The court has discretion to allow the juror to remain exempt for the next jury term as well.

Table 41. Trial Juries: The Allocation of Peremptory Challenges

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; ~/=Not applicable; ■ =Yes

Note: Only those courts that hold jury trials are included in this table.

| | Number of peremptory challenges | | | | | | | | | | |
|-----------------------------|---------------------------------|---------|----------------------|----------------------|-------------------|-------------------|---------------------|------------------|-------------------|-----------------|------------------|
| | Capital | | Criminal | | | | Additional | | Civil | | |
| | State | Defense | Felony | | Misdemeanor | | Per alternate | Multiple parties | Civil cases | Additional | |
| | | | State | Defense | State | Defense | | | | Per alternate | Multiple parties |
| Alabama | | | | | | | | | | | |
| GJ Circuit | 12 | 12 | 6 | 6 | 3 | 3 | 1 | 6/def | 6 | 1 | ■ |
| Alaska | | | | | | | | | | | |
| GJ Superior | ~ | ~ | 10 | 10 | 3 | 3 | 1 or 2 ¹ | ■ | 3 | 1 | ■ |
| LG District | ~ | ~ | ~ | ~ | 3 | 3 | 1 or 2 ¹ | ■ | 3 | 1 | ■ |
| Arizona | | | | | | | | | | | |
| GJ Superior | 10 | 10 | 6 | 6 | 6 | 6 | 0 | ■ | 4 | ■ ² | ■ |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | 2 | 2 | 0 | ■ | 3 | ■ ² | ■ |
| LJ Municipal | ~ | ~ | ~ | ~ | 2 | 2 | 0 | ■ | ~ | ~ | ~ |
| Arkansas | | | | | | | | | | | |
| GJ Circuit | 10 | 12 | 6 | 8 | 3 | 3 | 1 | | 3 | 1 | N/S |
| California | | | | | | | | | | | |
| GJ Superior | 20 | 20 | 20/10 ³ | 20/10 ³ | 10/6 ³ | 10/6 ³ | 1 | ■ | 6 | 1 | ■ |
| Colorado | | | | | | | | | | | |
| GJ District | 10 | 10 | 5 | 5 | 3 | 3 | 1 | ■ | 4 | 1 | ■ |
| GJ Denver Probate | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 4 | N/S | N/S |
| GJ Water | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 4 | N/S | N/S |
| LJ County | ~ | ~ | ~ | ~ | 3 | 3 | N/S | N/S | 1 | N/S | N/S |
| Connecticut | | | | | | | | | | | |
| GJ Superior | 25 | 25 | 15/6 ⁴ | 15/6 ⁴ | 3 | 3 | ■ ⁵ | N/S | 3 | 1 | ■ |
| Delaware | | | | | | | | | | | |
| GJ Superior | 12 | 20 | 6 | 6 | 6 | 6 | ■ ⁶ | ■ | 3 | ■ ⁶ | ■ |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | 6 | 6 | ■ ⁶ | ■ | 3 | ■ ⁶ | ■ |
| LJ Common Pleas | ~ | ~ | ~ | ~ | 6 | 6 | ■ ⁶ | ■ | 3 | ■ ⁶ | ■ |
| District of Columbia | | | | | | | | | | | |
| GJ Superior | ~ | ~ | 10 | 10 | 3 | 3 | ■ ⁷ | ■ | 3 | | ■ |
| Florida | | | | | | | | | | | |
| GJ Circuit | 10 | 10 | 10/6 ⁸ | 10/6 ⁸ | 3 | 3 | 1 | ■ | 3 | ■ ⁹ | ■ |
| LJ County | ~ | ~ | ~ | ~ | 3 | 3 | 1 | ■ | 3 | ■ ⁹ | ■ |
| Georgia | | | | | | | | | | | |
| GJ Superior | 10 | 20 | 6 | 12 | 2 | 4 | ■ | ■ | 6/3 ¹⁰ | 1 | ■ |
| LJ Civil | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 3 | 1 | ■ |
| LJ State | ~ | ~ | ~ | ~ | 2 | 4 | ■ | ■ | 6/3 ¹⁰ | 1 | ■ |
| LJ Probate | ~ | ~ | ~ | ~ | 3 | 3 | 1 | ■ | 3 | 1 | ■ |
| Hawaii | | | | | | | | | | | |
| GJ Circuit | ~ | ~ | 12/3 ¹¹ | 12/3 ¹¹ | 3 | 3 | 1 | | 3 | ■ ¹² | ■ |
| Idaho | | | | | | | | | | | |
| GJ District | 10 | 10 | 10/6 ¹³ | 10/6 ¹³ | 4 | 4 | ■ ¹⁴ | ■ | 4 | ■ ¹⁴ | ■ |
| Illinois | | | | | | | | | | | |
| GJ Circuit | 14 | 14 | 7 | 7 | 5 | 5 | 1 | ■ | 5 | 1 | ■ |
| Indiana | | | | | | | | | | | |
| GJ Superior and Circuit | 20 | 20 | 10 | 10 | 5 | 5 | ■ ¹⁵ | | 3 | ■ ¹⁵ | |
| LJ County | ~ | ~ | 10 | 10 | 5 | 5 | ■ ¹⁵ | | 3 | ■ ¹⁵ | |
| Iowa | | | | | | | | | | | |
| GJ District | ~ | ~ | 10/6 ¹⁶ | 10/6 ¹⁶ | 4 | 4 | N/S | N/S | 4 | N/S | N/S |
| Kansas | | | | | | | | | | | |
| GJ District | 12 | 12 | 12/8/6 ¹⁷ | 12/8/6 ¹⁷ | 3 | 3 | 1 | ■ | 3 | 1 | ■ |

Table 41. Trial Juries: The Allocation of Peremptory Challenges

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; ~ =Not applicable; ■ =Yes

Note: Only those courts that hold jury trials are included in this table.

| | Number of peremptory challenges | | | | | | | | | | |
|-----------------------------------|---------------------------------|------------------|--------------------|--------------------|-------------------|-------------------|-----------------|------------------|-------------------|-----------------|------------------|
| | Criminal | | | | | | | | Civil | | |
| | Capital | | Felony | | Misdemeanor | | Additional | | Civil cases | Additional | |
| | State | Defense | State | Defense | State | Defense | Per alternate | Multiple parties | | Per alternate | Multiple parties |
| Kentucky | | | | | | | | | | | |
| GJ Circuit | 8 | 8 | 8 | 8 | 3 | 3 | 1 | 1 | 3 | 1 | ■ |
| LJ District | ~ | ~ | ~ | ~ | 3 | 3 | 1 | 1 | 3 | 1 | ■ |
| Louisiana | | | | | | | | | | | |
| GJ District | 12 | 12 | 12/6 ¹⁸ | 12/6 ¹⁸ | 6 | 6 | ■ ¹⁹ | ■ | 6/3 ²⁰ | ■ ¹⁹ | ■ |
| Maine | | | | | | | | | | | |
| GJ Superior | ~ | ~ | 10/8 ²¹ | 10/8 ²¹ | 4 | 4 | 1 | ■ | 3 | 1 ²² | ■ |
| Maryland | | | | | | | | | | | |
| GJ Circuit | 10 | 20 | 5 | 10 | 4 | 4 | 2 | ■ | 4 | 1 per 3 | ■ |
| Massachusetts | | | | | | | | | | | |
| GJ Superior | ~ | ~ | 12/4 ²³ | 12/4 ²³ | 4 | 4 | ■ ²⁴ | ■ ²⁵ | 4 | ■ ²⁶ | N/S |
| LJ District | ~ | ~ | 2 | 2 | 2 | 2 | ■ ²⁴ | ■ ²⁵ | 4 | ■ ²⁶ | N/S |
| LJ Boston Municipal | ~ | ~ | 2 | 2 | 2 | 2 | ■ ²⁴ | ■ ²⁵ | 4 | ■ ²⁶ | N/S |
| Michigan | | | | | | | | | | | |
| GJ Circuit | ~ | ~ | 12/5 ²⁷ | 12/5 ²⁷ | 5 | 5 | | ■ | 3 | | ■ |
| LJ District | ~ | ~ | ~ | ~ | 3 | 3 | | ■ | 3 | | ■ |
| LJ Probate | ~ | ~ | 5 | 5 | 5 | 5 | | ■ | ~ | ~ | ~ |
| LJ Municipal | ~ | ~ | ~ | ~ | 3 | 3 | | ■ | 3 | | ■ |
| Minnesota | | | | | | | | | | | |
| GJ District | ~ | ~ | 9/3 ²⁸ | 15/5 ²⁸ | 3 | 5 | | ■ | 2 | | ■ |
| Mississippi | | | | | | | | | | | |
| GJ Circuit | 12 | 12 | 6 | 6 | 6 | 6 | ■ ²⁹ | | 4 | 1 | ■ |
| LJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 4 | 1 | ■ |
| LJ County | ~ | ~ | ~ | ~ | 4/2 ³⁰ | 4/2 ³⁰ | ■ ²⁹ | | 4/2 ³⁰ | 1 | ■ |
| LJ Justice | ~ | ~ | ~ | ~ | 2 | 2 | ■ ²⁹ | | 2 | 1 | ■ |
| Missouri | | | | | | | | | | | |
| GJ Circuit | 9 | 9 | 6 | 6 | 2 | 2 | 1 per 2 | ■ | 3 | 1 per 2 | |
| LJ Magistrate ³¹ | ~ | ~ | ~ | ~ | 2 | 2 | 1 per 2 | ■ | ~ | ~ | ~ |
| Montana | | | | | | | | | | | |
| GJ District | 8 | 8 | 6/3 ³² | 6/3 ³² | 6/3 ³² | 6/3 ³² | 1 | ■ | 4 | 1 per 2 | N/S |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | 6/3 | 6/3 | 1 | ■ | 4/2 ³³ | 1 per 2 | N/S |
| LJ Municipal | ~ | ~ | ~ | ~ | 6/3 | 6/3 | 1 | ■ | 4/2 ³³ | 1 per 2 | N/S |
| LJ City | ~ | ~ | ~ | ~ | 6/3 | 6/3 | 1 | ■ | 4/2 ³³ | 1 per 2 | N/S |
| Nebraska | | | | | | | | | | | |
| GJ District | 12 | 12 | 6 | 6 | 3 | 3 | 1 | ■ | 3 | N/S | N/S |
| LJ County | ~ | ~ | ~ | ~ | 3 | 3 | 1 | ■ | 3 | N/S | N/S |
| Nevada | | | | | | | | | | | |
| GJ District | 8 | 8 | 4 | 4 | 4 | 4 | ■ ³⁴ | | 4 | ■ ³⁴ | ■ |
| LJ Justice | ~ | ~ | ~ | ~ | 4 | 4 | ■ ³⁴ | | 4 | ■ ³⁴ | ■ |
| New Hampshire | | | | | | | | | | | |
| GJ Superior | 10 | 20 | 15/3 ³⁵ | 15/3 ³⁵ | 3 | 3 | N/S | ■ | 3 | N/S | ■ |
| New Jersey | | | | | | | | | | | |
| GJ Superior | 12 ³⁶ | 20 ³⁶ | 12 | 20 | 10 | 10 | N/S | ■ | 6 | N/S | ■ |
| New Mexico | | | | | | | | | | | |
| GJ District | 8 | 12 | 3 | 5 | 3 | 5 | ■ ³⁷ | 2/party | 5/3 ³⁸ | ■ ³⁷ | ■ |
| LJ Magistrate | ~ | ~ | ~ | ~ | 2/1 ³⁹ | 2/1 ³⁹ | ■ ³⁷ | 2/party | 1 | ■ ³⁷ | ■ |
| LJ Metropolitan/Bernalillo County | ~ | ~ | ~ | ~ | 2/1 ³⁹ | 2/1 ³⁹ | ■ ³⁷ | 2/party | 1 | ■ ³⁷ | ■ |

Table 41. Trial Juries: The Allocation of Peremptory Challenges

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; ~/=Not applicable; ■ =Yes

Note: Only those courts that hold jury trials are included in this table.

| | Number of peremptory challenges | | | | | | | | | | |
|---------------------------|---------------------------------|---------|----------------------------|----------------------------|-------------------|-------------------|-----------------|------------------|-----------------|-----------------|------------------|
| | Capital | | Criminal | | | | Additional | | Civil | | |
| | State | Defense | State | Defense | State | Defense | Per alternate | Multiple parties | Civil cases | Per alternate | Multiple parties |
| New York | | | | | | | | | | | |
| GJ Supreme | 20 | 20 | 20/15/ 10 ⁴⁰ | 20/15/ 10 ⁴⁰ | 10 | 10 | N/S | N/S | 3 | N/S | N/S |
| GJ County | 20 | 20 | 20/15/ 10 ⁴⁰ | 20/15/ 10 ⁴⁰ | 10 | 10 | N/S | N/S | 3 | N/S | N/S |
| LJ District | ~ | ~ | ~ | ~ | 10 | 10 | N/S | N/S | 3 | N/S | N/S |
| LJ City | ~ | ~ | ~ | ~ | 10 | 10 | N/S | N/S | 3 | N/S | N/S |
| LJ NYC Civil | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 3 | N/S | N/S |
| LJ NYC Criminal | ~ | ~ | ~ | ~ | 10 | 10 | N/S | N/S | ~ | ~ | ~ |
| LJ Town & Village Justice | ~ | ~ | ~ | ~ | 10 | 10 | N/S | N/S | 3 | N/S | N/S |
| North Carolina | | | | | | | | | | | |
| GJ Superior | 14 | 14 | 6 | 6 | 6 | 6 | 1 | ■ | 8 | 2 | ■ |
| LJ District | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 8 | 2 | ■ |
| North Dakota | | | | | | | | | | | |
| GJ District | ~ | ~ | 6/4 ⁴¹ | 6/4 ⁴¹ | 6/4 ⁴¹ | 6/4 ⁴¹ | ■ ⁴² | ■ | 4 ⁴³ | ■ ⁴⁴ | ■ |
| Ohio | | | | | | | | | | | |
| GJ Common Pleas | 6 | 6 | 4 | 4 | 3 | 3 | ■ ⁴⁵ | ■ | 3 | ■ ⁴⁶ | ■ |
| LJ Municipal | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁴⁵ | ■ | 3 | ■ ⁴⁶ | ■ |
| LJ County | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁴⁵ | ■ | 3 | ■ ⁴⁶ | ■ |
| LJ Claims | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 3 | ■ ⁴⁶ | ■ |
| Oklahoma | | | | | | | | | | | |
| GJ District | 9 | 9 | 5 | 5 | 3 | 3 | 1 | ■ | 3 | | ■ |
| Oregon | | | | | | | | | | | |
| GJ Circuit | 12 | 12 | 6 | 6 | 6/3 ⁴⁷ | 6/3 ⁴⁷ | ■ ⁴⁸ | ■ | 3 | ■ ⁴⁸ | ■ |
| LJ Justice | ~ | ~ | ~ | ~ | 2 | 2 | ■ ⁴⁸ | ■ | 3 | ■ ⁴⁸ | ■ |
| LJ Municipal | ~ | ~ | ~ | ~ | 6 | 6 | ■ ⁴⁸ | ■ | 3 | ■ ⁴⁸ | ■ |
| Pennsylvania | | | | | | | | | | | |
| GJ Common Pleas | 20 | 20 | 7 | 7 | 5 | 5 | 1 per 2 | ■ | 4 ⁴⁹ | | ■ |
| Puerto Rico | | | | | | | | | | | |
| GJ First Instance | ~ | ~ | 10/5 ⁵⁰ | 10/5 ⁵⁰ | 5 | 5 | 1 | ■ | ~ | ~ | ~ |
| Rhode Island | | | | | | | | | | | |
| GJ Superior | ~ | ~ | 6 | 6 | 3 | 3 | ■ ⁵¹ | ■ | 52 | 1 | N/S |
| LJ Family | ~ | ~ | 6 | 6 | ~ | ~ | ■ ⁵¹ | ■ | 52 | 1 | N/S |
| South Carolina | | | | | | | | | | | |
| GJ Circuit | 5 | 10 | 5 | 10 | 5 | 5 | ■ ⁵³ | ■ | 4 | N/S | N/S |
| LJ Magistrate | ~ | ~ | ~ | ~ | 6 | 6 | ■ ⁵³ | ■ | 6 | N/S | N/S |
| LJ Municipal | ~ | ~ | ~ | ~ | 6 | 6 | ■ ⁵³ | ■ | ~ | ~ | ~ |
| South Dakota | | | | | | | | | | | |
| GJ Circuit | 20 | 20 | 20/10 ⁵⁴ | 20/10 ⁵⁴ | 3 | 3 | | ■ | 3 | ■ ⁵⁵ | ■ |
| Tennessee | | | | | | | | | | | |
| GJ Circuit | 15 | 15 | 8 | 8 | 3 | 3 | 1 per def | ■ | 4 | ■ ⁵⁶ | ■ |
| GJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | ~ | ~ | 4 | ■ ⁵⁶ | ■ |
| GJ Criminal | 15 | 15 | 8 | 8 | 3 | 3 | 1 per def | ■ | ~ | ~ | ~ |
| Texas | | | | | | | | | | | |
| GJ District | 15 | 15 | 10 | 10 | 5 | 5 | ■ ⁵⁷ | ■ | 6 | | |
| LJ County-level | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁵⁷ | ■ | 3 | | |
| LJ Justice of the Peace | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁵⁷ | ■ | 3 | | |
| LJ Municipal | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁵⁷ | ■ | ~ | ~ | ~ |
| Utah | | | | | | | | | | | |
| GJ District | 10 | 10 | 4 | 4 | 3 | 3 | ■ ⁵⁸ | ■ | 3 | ■ ⁵⁸ | N/S |
| LJ Justice | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁵⁸ | ■ | ~ | ~ | ~ |

Table 41. Trial Juries: The Allocation of Peremptory Challenges

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; ~ =Not applicable; ■ =Yes

Note: Only those courts that hold jury trials are included in this table.

| | Number of peremptory challenges | | | | | | | | | | |
|----------------------|---------------------------------|---------|-------------------|-------------------|-------------|---------|-----------------|------------------|-------------|-----------------|------------------|
| | Criminal | | | | | | Civil | | | | |
| | Capital | | Felony | | Misdemeanor | | Additional | | Civil cases | Additional | |
| | State | Defense | State | Defense | State | Defense | Per alternate | Multiple parties | | Per alternate | Multiple parties |
| Vermont | | | | | | | | | | | |
| GJ Superior | ~ | ~ | 6 | 6 | 6 | 6 | ■ ⁵⁹ | ■ | 6 | 1 | ■ |
| GJ District | ~ | ~ | 6 | 6 | 6 | 6 | ■ ⁵⁹ | ■ | 6 | 1 | ■ |
| Virginia | | | | | | | | | | | |
| GJ Circuit | 4 | 4 | 4 | 4 | 3 | 3 | ■ ⁶⁰ | | 3 | ■ ⁶⁰ | |
| Washington | | | | | | | | | | | |
| GJ Superior | 12 | 12 | 6 | 6 | 3 | 3 | ■ ⁶¹ | ■ | 3 | ■ ⁶² | ■ |
| LJ District | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁶¹ | ■ | 3 | 1 | ■ |
| LJ Municipal | ~ | ~ | ~ | ~ | 3 | 3 | ■ ⁶¹ | ■ | 3 | 1 | ■ |
| West Virginia | | | | | | | | | | | |
| GJ Circuit | ~ | ~ | 2 | 6 | 4 | 4 | ■ ⁶³ | ■ | 2 | ■ ⁶⁴ | ■ |
| LJ Magistrate | ~ | ~ | ~ | ~ | 4 | 4 | ■ ⁶³ | ■ | 2 | ■ ⁶⁴ | ■ |
| Wisconsin | | | | | | | | | | | |
| GJ Circuit | ~ | ~ | 6/4 ⁶⁵ | 6/4 ⁶⁵ | 4 | 4 | 1 | ■ | 3 | 1 | ■ |
| Wyoming | | | | | | | | | | | |
| GJ District | 12 | 12 | 8 | 8 | 4 | 4 | ■ ⁶⁶ | ■ | 3 | ■ ⁶⁶ | ■ |
| LJ Circuit | ~ | ~ | ~ | ~ | 4 | 4 | ■ ⁶⁶ | ■ | 3 | ■ ⁶⁶ | ■ |
| LJ Municipal | ~ | ~ | ~ | ~ | 4 | 4 | ■ ⁶⁶ | ■ | ~ | ~ | ~ |

Note:

The following states do not have a death penalty statute: Alaska, District of Columbia, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, North Dakota, Puerto Rico, Rhode Island, Vermont, West Virginia, and Wisconsin.

FOOTNOTES:

Alaska:

¹One additional challenge if one or two alternates selected; two additional challenges if three or four alternates selected.

Arizona:

²If one or two alternates selected, one additional challenge. If three or four are selected, then two additional challenges. If five or six are selected, then three additional challenges.

California:

³Twenty challenges for a penalty of life in prison, six challenges for a penalty of 90 days or less, 10 challenges for other offenses.

Connecticut:

⁴Fifteen peremptory challenges if offense is punishable for life, six for other.

⁵If alternates are selected in a trial where the possible maximum punishment is death, five additional challenges will be allowed; if the maximum possible is life, three additional challenges. If the offense is a felony, but no life sentence, two additional challenges shall be allowed, and one additional challenge for all other offenses.

Delaware:

⁶If one or two alternates are selected, one additional challenge will be granted. If three or four alternates are selected, two additional challenges will be granted. If five or six alternates are selected, three additional challenges will be granted.

District of Columbia:

⁷If one or two alternates are selected, one additional challenge will be granted. If three or four alternates are selected, two additional challenges will be granted. If five or six alternates are selected, three additional challenges will be granted.

Florida:

⁸Ten challenges allowed for each side when the defendant faces life imprisonment; six for all other cases.

⁹When multiple defendants are tried jointly, each will have the number of challenges allowed if tried alone.

Georgia:

¹⁰Six challenges are allowed for each side when a party requests a jury of 12 (minimum of \$10,000 at stake); three challenges for all other cases.

Hawaii:

¹¹Twelve challenges allowed for each side when the defendant faces life imprisonment; three for all other cases.

¹²If one or two alternates are selected, one additional challenge shall be granted. If three or four alternates are selected, two additional challenges shall be granted. If five or six alternates are selected, three additional challenges shall be granted.

Idaho:

¹³Each side has 10 peremptory challenges if the charged offense has a life term as the maximum sentence; otherwise, each side has 6 peremptory challenges.

¹⁴If one or two alternates are selected, one additional challenge shall be allowed. If more than two are selected, two additional challenges shall be allowed.

Indiana:

¹⁵If one or two alternates are selected, one additional challenge shall be granted. If three or four alternates are selected, two additional challenges shall be granted.

Iowa:

¹⁶Ten if a class A felony.

Kansas:

¹⁷After July 1, 1993, 12 for off-grid or any severity Level 1, eight for severity Level 2-6 person felonies, or greater non-person felony or severity Level 2 or 3 drug felony, six for any other felony.

Louisiana:

¹⁸Louisiana's criminal statutes provide that some felonies are punishable "with or without hard labor" For those punishable without hard labor, the state and the defense have six peremptory challenges each.

¹⁹The number of challenges allotted must be equal on both sides.

Table 41. Trial Juries: The Allocation of Peremptory Challenges

²⁰ If a trial is by a jury of 12, each side is allowed six peremptory challenges. If a trial is by a jury of six, each side is allowed three peremptory challenges.

Maine:

²¹ Ten if charged with murder.

²² One additional challenge shall be allowed if one or two alternates are selected. Two additional challenges shall be allowed if three alternates are selected.

Massachusetts:

²³ Twelve challenges if the offense is punishable by life imprisonment, otherwise four.

²⁴ If the offense is punishable by life, one additional challenge for each additional juror for each defendant.

²⁵ In a criminal case the Commonwealth gets as many challenges as equal the whole number to which all the defendants in the case are entitled.

²⁶ If one or two alternates are selected, one additional challenge shall be granted. If three or four alternates are selected, two additional challenges shall be granted.

Michigan:

²⁷ Twelve challenges if tried for life imprisonment, otherwise five.

Minnesota:

²⁸ Nine for state, 15 for defense if life imprisonment possible.

Mississippi:

²⁹ In capital cases, one challenge shall be allowed per alternate selected. In all other cases, one challenge shall be allowed for every two alternates selected. There is one challenge total in justice courts.

³⁰ Four for 12-person jury, two for six-person.

Missouri:

³¹ One Municipal Court has jurisdiction to hold jury trials in municipal ordinance cases.

Montana:

³² Six challenges for 12-person jury, three for six-person jury.

³³ Two for six-person jury, not to exceed a total of four challenges if jury is less than 12 persons.

Nevada:

³⁴ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected, and three challenges if five or six alternates are selected.

New Hampshire:

³⁵ If offense is first-degree murder, then 15 per side.

New Jersey:

³⁶ New Jersey does not use felony and misdemeanor classifications, but instead uses degrees of crime (first – fourth). In specifying the number of peremptory challenges, NJSA 2B: 23-13 lists 14 crimes for which a defendant will, at trial, receive 20 peremptory challenges and the state will receive 12 peremptory challenges. In trials for other crimes, both the state and the defendant receive 10 peremptory challenges each.

New Mexico:

³⁷ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected, and three challenges if five or six alternates are selected.

³⁸ Five for 12-person jury, three for six-person.

³⁹ One for petty misdemeanors, two for others.

New York:

⁴⁰ Twenty for Class A felony; 15 for Class B or C felony, 10 for all other.

North Dakota:

⁴¹ Six challenges for 12-person jury, four for six-person jury.

⁴² Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected.

⁴³ Four challenges for a nine-person or six-person jury.

⁴⁴ Each party shall be allowed one additional challenge if one or two alternates are selected.

Ohio:

⁴⁵ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected, and three

challenges if five or six alternates are selected.

⁴⁶ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected.

Oregon:

⁴⁷ Six challenges if tried before a jury of 12, three challenges if tried before a jury of six.

⁴⁸ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected, and three challenges if five or six alternates are selected.

Pennsylvania:

⁴⁹ May be varied to achieve a fair distribution of challenges.

Puerto Rico:

⁵⁰ Ten peremptory challenges if punishable by life imprisonment, five for all other felonies.

Rhode Island:

⁵¹ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if more than two are selected.

⁵² Peremptory challenges not to exceed 1/3 of qualified jurors (qualified jurors are jurors who are not subject to challenge for cause).

South Carolina:

⁵³ Each defendant is entitled to two challenges per alternate selected. The prosecution is entitled to one per alternate.

South Dakota:

⁵⁴ Twenty peremptory challenges when life imprisonment is a potential penalty, 10 challenges for all other charges.

⁵⁵ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected, and three challenges if five or six alternates are selected.

Tennessee:

⁵⁶ Each party is entitled to one challenge per additional juror, up to the maximum.

Texas:

⁵⁷ The state and the defendant shall have one additional challenge if one or two alternates are selected, and two additional challenges if three or four alternates are selected.

Utah:

⁵⁸ Each side shall have one additional challenge per alternate chosen.

Vermont:

⁵⁹ Each side shall have one additional challenge if one or two alternates are selected, and two additional challenges if three or four alternates are selected.

Virginia:

⁶⁰ One challenge shall be allowed to each party for every two additional alternate jurors selected.

Washington:

⁶¹ Each party shall have one additional challenge per alternate juror selected.

⁶² Each side is entitled to one additional challenge if one or two alternates are selected, two additional challenges if three or four alternates are selected, and three if five or six alternates are selected.

West Virginia:

⁶³ Each side is entitled to one additional challenge if one or two alternates are selected, two additional challenges if three or four alternates are selected, and three if five or six alternates are selected

⁶⁴ Each side is entitled to one additional challenge if up to three alternates are selected and two challenges if four or more alternates are selected.

Wisconsin:

⁶⁵ Six peremptory challenges per side for life sentence; otherwise, four peremptory challenges per side.

Wyoming:

⁶⁶ Each party shall be allowed one additional challenge if one or two alternates are selected, two challenges if three or four alternates are selected, and three challenges if five or six alternates are selected.

Table 42. Trial Juries: Size and Verdict Rules

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ = Not applicable; ■ = Yes

Note: Only those courts that hold jury trials are included in this table.

| | Trial type | | | | | | | | |
|-----------------------------|--------------------|---------------|-------|--------------------|---------------|-------|--------------------|-----------------|-------------------|
| | Felony | | | Misdemeanor | | | Civil | | |
| | Size | Decision-rule | | Size | Decision-rule | | Size | Decision-rule | |
| | Size | Unanimous | Other | Size | Unanimous | Other | Size | Unanimous | Other |
| Alabama | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 12 | ■ | |
| Alaska | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 12 | | 5/6 |
| LG District | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| Arizona | | | | | | | | | |
| GJ Superior | 12/8 ¹ | ■ | | 8 | ■ | | 8 | | 3/4 |
| LJ Justice of the Peace | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ Municipal | ~ | ~ | ~ | 6 | ■ | | ~ | ~ | ~ |
| Arkansas | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 ² | ■ | | 12 | | 3/4 |
| California | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 ³ | ■ | | 12 ³ | | 3/4 |
| Colorado | | | | | | | | | |
| GJ District | 12 | ■ | | 6 | ■ | | 6 | ■ | |
| GJ Denver Probate | ~ | ~ | ~ | ~ | ~ | ~ | 6 | ■ | |
| GJ Water | ~ | ~ | ~ | ~ | ~ | ~ | 6 | ■ | |
| LJ County | ~ | ~ | ~ | 6 | ■ | | 6 | ■ | |
| Connecticut | | | | | | | | | |
| GJ Superior | 6 ⁴ | ■ | | 6 | ■ | | 6 | ■ | |
| Delaware | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 12 | ■ | |
| LJ Justice of the Peace | ~ | ~ | ~ | 12 | ■ | | 6 | ■ | |
| LJ Common Pleas | ~ | ~ | ~ | 12 | ■ | | 6 | ■ | |
| District of Columbia | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 6 ⁵ | ■ | |
| Florida | | | | | | | | | |
| GJ Circuit | 6 ⁶ | ■ | | 6 | ■ | | 6 ⁶ | ■ | |
| LJ County | ~ | ~ | ~ | 6 | ■ | | 6 | ■ | |
| Georgia | | | | | | | | | |
| GJ Superior | 12 | ■ | | 6 | ■ | | 12 | ■ | |
| LJ Civil | ~ | ~ | ~ | ~ | ~ | ~ | 6 | ■ | |
| LJ State | ~ | ~ | ~ | 6 | ■ | | 6 ⁷ | ■ | |
| LJ Probate | ~ | ~ | ~ | 6 | ■ | | 6 | ■ | |
| Hawaii | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 ⁸ | ■ | | 12 ⁹ | | 5/6 ¹⁰ |
| Idaho | | | | | | | | | |
| GJ District | 12 | ■ | | 6 | ■ | | 12/6 ¹¹ | | 3/4 |
| Illinois | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 12/6 ¹² | ■ | |
| Indiana | | | | | | | | | |
| GJ Superior and Circuit | 12/6 ¹³ | ■ | | 6 | ■ | | 6 | ■ | |
| LJ County | 6 ¹⁴ | ■ | | 6 | ■ | | 6 | ■ | |
| Iowa | | | | | | | | | |
| GJ District | 12 | ■ | | 12/6 ¹⁵ | ■ | | 8 | ■ ¹⁶ | 7/8 ¹⁶ |
| Kansas | | | | | | | | | |
| GJ District | 12 | ■ | | 6 | ■ | | 12/6 ¹⁷ | ■ ¹⁸ | 5/6 ¹⁸ |

Table 42. Trial Juries: Size and Verdict Rules

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ = Not applicable; ■ = Yes

Note: Only those courts that hold jury trials are included in this table.

| | Trial type | | | | | | | | |
|-----------------------------------|------------------|-----------------|---------------------|------------------|---------------|------|--------------------|-----------------|-------------------|
| | Felony | | | Misdemeanor | | | Civil | | |
| | Size | Decision-rule | | Size | Decision-rule | | Size | Decision-rule | |
| | Unanimous | Other | Size | Unanimous | Other | Size | Unanimous | Other | |
| Kentucky | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 12 | | 3/4 |
| LJ District | ~ | ~ | | 6 | ■ | | 6 | | 5/6 |
| Louisiana | | | | | | | | | |
| GJ District | 12 ¹⁹ | ■ ²⁰ | 10/12 ²⁰ | 6 | ■ | | 12 ²¹ | | 5/6, 9/12 |
| Maine | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 8 | | 3/4 |
| Maryland | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 6 | ■ | |
| Massachusetts | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 12 | | 5/6 |
| LJ District | 6 | ■ | | 6 | ■ | | 6 | | 5/6 |
| LJ Boston Municipal | 6 | ■ | | 6 | ■ | | 6 | | 5/6 |
| Michigan | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 6 | | 5/6 |
| LJ District | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ Probate | 12 | ■ | | 6 | ■ | | ~ | ~ | ~ |
| LJ Municipal | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| Minnesota | | | | | | | | | |
| GJ District | 12 | ■ | | 6 | ■ | | 6 ²² | ■ ²³ | 5/6 ²³ |
| Mississippi | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 6 | ■ | | 12 | | 3/4 |
| LJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | 12 | | 3/4 |
| LJ County | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ Justice | ~ | ~ | ~ | 6 | ■ | | 6 | ■ | |
| Missouri | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 ²⁴ | ■ | | 12 | | 3/4 |
| Montana | | | | | | | | | |
| GJ District | 12 | ■ | | 12 | ■ | | 12 | | 2/3 |
| LJ Justice of the Peace | ~ | ~ | ~ | 6 | ■ | | 6 | | 2/3 |
| LJ Municipal | ~ | ~ | ~ | 6 | ■ | | 6 | | 2/3 |
| LJ City | ~ | ~ | ~ | 6 | ■ | | 6 | | 2/3 |
| Nebraska | | | | | | | | | |
| GJ District | 12 | ■ | | 12 | ■ | | 12 | ■ ²⁵ | 5/6 ²⁵ |
| LJ County | ~ | ~ | ~ | 6 | ■ | | 6 | ■ ²⁵ | 5/6 ²⁵ |
| Nevada | | | | | | | | | |
| GJ District | 12 | ■ | | 12 | ■ | | 12 ²⁶ | | 3/4 |
| LJ Justice | ~ | ~ | ~ | 6 | ■ | | 6 ²⁶ | | 3/4 |
| New Hampshire | | | | | | | | | |
| GJ Superior | 12 | ■ | | 6 | ■ | | 12 | ■ | |
| New Jersey | | | | | | | | | |
| GJ Superior | 12 ²⁷ | ■ | | 12 ²⁷ | ■ | | 12/6 ²⁸ | | 5/6 |
| New Mexico | | | | | | | | | |
| GJ District | 12 | ■ | | 12 | ■ | | 12 | | 5/6 |
| LJ Magistrate | ~ | ~ | | 6 | ■ | | 6 | | 5/6 |
| LJ Metropolitan/Bernalillo County | ~ | ~ | | 6 | ■ | | 6 | | 5/6 |

Table 42. Trial Juries: Size and Verdict Rules

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~ = Not applicable; ■ = Yes

Note: Only those courts that hold jury trials are included in this table.

| | Trial type | | | | | | | | |
|---------------------------|--------------------|-----------|---------------------|--------------------|-----------|-------|--------------------|---------------|---------------------|
| | Felony | | | Misdemeanor | | | Civil | | |
| | Decision-rule | | | Decision-rule | | | Decision-rule | | |
| | Size | Unanimous | Other | Size | Unanimous | Other | Size | Unanimous | Other |
| New York | | | | | | | | | |
| GJ Supreme | 12 | ■ | | 12 | ■ | | 6 | | 5/6 |
| GJ County | 12 | ■ | | 12 | ■ | | 6 | | 5/6 |
| LJ District | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ City | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ NYC Civil | ~ | ~ | ~ | ~ | ~ | | 6 | | 5/6 |
| LJ NYC Criminal | ~ | ~ | ~ | 6 | ■ | ~ | ~ | ~ | ~ |
| LJ Town & Village Justice | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| North Carolina | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 12 | ■ | |
| LJ District | ~ | ~ | ~ | ~ | ~ | ~ | 12 | ■ | |
| North Dakota | | | | | | | | | |
| GJ District | 12 | ■ | | 12/6 ²⁹ | ■ | | 9/6 ³⁰ | ■ | |
| Ohio | | | | | | | | | |
| GJ Common Pleas | 12 | ■ | | 8 | ■ | | 12/8 ³¹ | | 3/4 |
| LJ Municipal | ~ | ~ | ~ | 8 | ■ | | 8 | | 3/4 |
| LJ County | ~ | ~ | ~ | 8 | ■ | | 8 | | 3/4 |
| LJ Claims | ~ | ~ | ~ | ~ | ~ | ~ | 8 | | 3/4 |
| Oklahoma | | | | | | | | | |
| GJ District | 12 | ■ | | 6 ³² | ■ | | 12/6 ³³ | ■ | |
| Oregon | | | | | | | | | |
| GJ Circuit | 12 | | 10/12 ³⁴ | 6 | ■ | | 12/6 ³⁵ | | 3/4 |
| LJ Justice | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ Municipal | ~ | ~ | ~ | 6 | ■ | | 6 | ■ | |
| Pennsylvania | | | | | | | | | |
| GJ Common Pleas | 12 ³⁶ | ■ | | 12 ³⁶ | ■ | | 12 ³⁷ | | 5/6 |
| Puerto Rico | | | | | | | | | |
| GJ First Instance | 12 | | 9 | 12 | | 9 | ~ | ~ | ~ |
| Rhode Island | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 6 | ■ | |
| LJ Family | 12 | ■ | | ~ | ~ | ~ | 6 | ■ | |
| South Carolina | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 12 | ■ | |
| LJ Magistrate | ~ | ~ | ~ | 6 | ■ | | 6 | ■ | |
| LJ Municipal | ~ | ~ | ~ | 6 | ■ | | ~ | ~ | ~ |
| South Dakota | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 12 | | 5/6 |
| Tennessee | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 12 | ■ | |
| GJ Chancery | ~ | ~ | ~ | ~ | ~ | ~ | 12 | ■ | |
| GJ Criminal | 12 | ■ | | 12 | ■ | | ~ | ~ | ~ |
| Texas | | | | | | | | | |
| GJ District | 12 | ■ | | 6 | ■ | | 12 ³⁸ | ³⁹ | 10/12 ³⁹ |
| LJ County-level | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ Justice of the Peace | ~ | ~ | ~ | 6 | ■ | | 6 | | 5/6 |
| LJ Municipal | ~ | ~ | ~ | 6 | ■ | | ~ | ~ | ~ |
| Utah | | | | | | | | | |
| GJ District | 12/8 ⁴⁰ | ■ | | 6/4 ⁴¹ | ■ | | 8 ⁴² | | 3/4 |
| LJ Justice | ~ | ~ | ~ | 6/4 ⁴¹ | ■ | | ~ | ~ | ~ |

Table 42. Trial Juries: Size and Verdict Rules

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; ~=Not applicable; ■=Yes

Note: Only those courts that hold jury trials are included in this table.

| | Trial type | | | | | | | | |
|----------------------|------------------|-----------|-------|------------------|-----------|-------|-------------------|-----------|-------------------|
| | Felony | | | Misdemeanor | | | Civil | | |
| | Decision-rule | | | Decision-rule | | | Decision-rule | | |
| | Size | Unanimous | Other | Size | Unanimous | Other | Size | Unanimous | Other |
| Vermont | | | | | | | | | |
| GJ Superior | 12 | ■ | | 12 | ■ | | 12 | ■ | |
| GJ District | 12 | ■ | | 12 | ■ | | 12 | ■ | |
| Virginia | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 7 | ■ | | 7/5 ⁴³ | ■ | |
| Washington | | | | | | | | | |
| GJ Superior | 12 ⁴⁴ | ■ | | 12 ⁴⁴ | ■ | | 12 ⁴⁵ | | 5/6 ⁴⁵ |
| LJ District | ~ | ~ | | 6 | ■ | | 12 | | 5/6 |
| LJ Municipal | ~ | ~ | | 6 | ■ | | 12 | | 5/6 |
| West Virginia | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 12 | ■ | | 6 ⁴⁶ | ■ | |
| LJ Magistrate | ~ | ~ | ~ | 6 | ■ | | 6 | ■ | |
| LJ Municipal | ~ | ~ | ~ | 12 | ■ | | 6 | ■ | |
| Wisconsin | | | | | | | | | |
| GJ Circuit | 12 | ■ | | 6 | ■ | | 12 ⁴⁷ | | 5/6 |
| Wyoming | | | | | | | | | |
| GJ District | 12 | ■ | | 6 | ■ | | 6 ⁴⁸ | ■ | |
| LJ Circuit | ~ | ~ | ~ | 6 | ■ | | 6 ⁴⁸ | ■ | |
| LJ Municipal | ~ | ~ | ~ | 6 | ■ | | ~ | ~ | ~ |

FOOTNOTES:

Arizona:
¹ A twelve-member jury is required if the death penalty or a sentence of 30 years or more are being sought.

Arkansas:
² The number of jurors may be fewer if the parties agree.

California:
³ The number of jurors may be fewer if the parties agree.

Connecticut:
⁴ A twelve-member jury is used in capital cases, but the defendant may elect otherwise.

District of Columbia:
⁵ There may be 12 jurors, if the court deems it necessary.

Florida:
⁶ Capital and eminent domain cases require a 12-member jury (unanimous verdict).

Georgia:
⁷ In State Court civil trials, a 12-member jury may be demanded if damages are greater than \$25,000, otherwise the jury consists of six members.

Hawaii:
⁸ This applies to crimes punishable by six months or more.
⁹ May stipulate that the jury consist of any number less than 12 or that a verdict on finding of a stated majority of jurors is taken as the verdict or finding of the jury.
¹⁰ Can stipulate to six-member with 5/6-rule.

Idaho:
¹¹ Limited to six in cases involving less than \$500.00.

Illinois:
¹² In civil trials, six jurors if damages are less than \$15,000, unless 12 jurors are requested.

Indiana:
¹³ Twelve for class A, B, and C felonies, or enhanced penalty; six for other felonies.
¹⁴ Only tries class D felonies.

Iowa:
¹⁵ In misdemeanor trials, 12-member jury if "serious" or "aggravated," six if "simple."
¹⁶ In civil trials, 7/8-rule applies after six hours of deliberation.

Kansas:
¹⁷ In civil trials, 12-member jury if damages are greater than \$10,000, otherwise six.
¹⁸ In civil trials, 5/6-rule if 12 jurors, otherwise must be unanimous.

Louisiana:
¹⁹ Capital cases and cases where punishment necessarily is confinement at hard labor - 12 jurors. Cases where punishment may be confinement at hard labor - six jurors.
²⁰ Capital cases and cases where punishment necessarily is confinement at hard labor - unanimous; cases where punishment may be confinement at hard labor - 10/12.
²¹ Parties may stipulate to a six-person jury.

Minnesota:
²² Court has discretion to seat as many as 12 jurors, when the circumstances warrant.
²³ If deliberate more than six hours.

Missouri:
²⁴ In practice, juries consist of 12 members. However, if the case is tried before an associate judge, the parties agree upon a number of jurors.

Nebraska:
²⁵ In civil trials, 5/6-rule after six hours deliberation.

Nevada:
²⁶ Parties may stipulate to a jury of 4-8.

Table 42. Trial Juries: Size and Verdict Rules

New Jersey:

²⁷ Juries in criminal cases consist of 12 persons. Except in trials for crimes punishable by death, parties may stipulate in writing that the jury shall consist of less than 12 persons.

²⁸ Juries in civil cases consist of six persons unless party demands a jury of 12, or court chooses 12 jurors when good cause is shown.

North Dakota:

²⁹ In class A misdemeanor, defendant may make motion for 12 jurors.

³⁰ A civil jury must consist of six qualified jurors unless any party makes a demand for a jury of nine.

Ohio:

³¹ Twelve person only when action for appropriation of right-of-way by a corporation.

Oklahoma:

³² In cases where imprisonment is authorized for more than six months, all jurors must concur in the verdict.

³³ In civil trials, 12-member jury if damages are greater than \$10,000, otherwise six.

Oregon:

³⁴ In murder or aggravated murder trials, verdict must be at least 11 of 12 jurors.

³⁵ Six person if cause of action less than \$10,000.00.

Pennsylvania:

³⁶ Upon consent, may be less than 12, but not less than six.

³⁷ Twelve is subject to waiver.

Texas:

³⁸ Parties may agree to fewer than 12 jurors.

³⁹ An unanimous verdict is required for awards of exemplary damages.

Utah:

⁴⁰ A 12-member jury is required for a capital offense.

⁴¹ For misdemeanors: if potential sentence is over six months, then six jurors, if shorter than six months, then four jurors.

⁴² Four jurors in civil case with damages less than \$20,000.

Virginia:

⁴³ Five persons from a panel of 11 shall constitute a jury in a civil case when the amount involved (exclusive of interest and costs) does not exceed the maximum jurisdictional limits. Seven persons from a panel of 13 shall constitute a jury in all other civil cases except that when a special jury is allowed, 12 persons from a panel of 20 shall constitute a jury.

Washington:

⁴⁴ In non-capital cases, a defendant may elect trial before a six-member jury.

⁴⁵ In a civil trial, a defendant may demand a 12-member jury. The court shall seat not less than six and not more than 12 jurors. The decision rule for a 12-person jury is 10/12.

West Virginia:

⁴⁶ In medical malpractice claims, jury of 12. Nine of 12 required for verdict.

Wisconsin:

⁴⁷ In civil or traffic cases, jury shall consist of six, unless a party requests a greater number not to exceed 12. The court on its own motion may require a greater number, not to exceed 12.

Wyoming:

⁴⁸ In civil trials, six-member jury unless demand made for 12.

Part VII: The Sentencing Context

The five tables in this section describe facets of the sentencing process. The fundamental statutory framework for felony and misdemeanor sentencing is outlined in Table 43. Minimum and maximum sentences are indicated for both felonies and misdemeanors followed by the dollar fine range for felonies. Mandatory minimum sentences facing those convicted of a felony involving a firearm or deadly weapon also are described. The definition, if any, of a habitual offender is given and the attendant penalties stated. Finally, the table indicates the most severe sentence other than the death penalty in a state. In most states, provisions exist for a sentence of “life without the possibility of parole” (LWOP). For those states with capital punishment, that sentence is often the default if the jury cannot agree on the appropriate sentence.

Courts of general jurisdiction have unlimited authority to hear and dispose of felony cases. However, courts of limited jurisdiction in most states conduct preliminary hearings and bind over felony defendants for trial and in the course of doing so may have the jurisdiction to accept a guilty plea to a misdemeanor and then impose sentence. In some states, this extends to accepting a guilty plea to a felony charge but rarely to imposing a sentence. Table 44 describes how jurisdiction over felony cases is distributed within each state’s court system. The authority of a trial court judge or an appellate court to alter a sentence once it has been implemented also is indicated.

Table 45 describes the sentencing responsibilities of judges and juries for both capital and non-capital felony cases. The table indicates whether the judge or the jury sets the original sentence in death penalty cases, whether it must be unanimous, if there is an automatic default to life without parole if the jury fails to agree, and whether the judge can alter the jury’s sentence. Table 45 also explains who is responsible for sentencing in non-capital cases. Most states have a sentencing hearing that is separate from the trial for non-capital felonies. In *Blakely vs. Washington* (June 2004) the U.S. Supreme Court ruled that a judge may not increase a sentence beyond what is known “solely on the basis of the facts related in the jury verdict or admitted by the defendant.” The implications for the judicial role in sentencing are reviewed in the Wool and Stemen reference in the bibliography.

Table 46 offers a detailed look at sentencing commissions. Topics covered include the name of the commission, when it was established, membership composition, and responsibilities. The table notes whether guidelines developed by a commission are voluntary or mandatory.

Conviction for a felony offense can bring certain “civil disabilities” in the form of collateral consequences. These typically extend beyond the point at which a person leaves prison or is released from probation or parole supervision. However, states differ in whether collateral consequences apply to all convicted felons or only to those incarcerated. Table 47 considers the impact that a felony conviction has on voting rights, eligibility for public employment, jury service, firearm ownership, and parental rights. Whether there is a registration requirement for convicted sex-offenders is also described.

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Table 43. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement

Legend: MM=Mandatory minimum sentence; LWOP=Life without parole; ~/=Not applicable; ■=Yes

| | Sentences (years) | | Felony fine range | Deadly weapon use – MM (years) | Habitual offender* | Most serious non-capital sentence | |
|-----------------------------|--|---|--|--|---|-----------------------------------|---|
| | Felony range | Misdemeanor maximum | | | | LWOP | Note |
| Alabama | 1 to death | 1 | \$0-20,000 or twice the pecuniary gain. Up to \$500,000 for drug trafficking. | >20 Class A; > 10 Class B felony. | Next highest class of felony for each prior conviction. On conviction of Class A felony after 3 priors, LWOP. | ■ | Governor may not commute sentence. |
| Alaska | 1 to 99 | 1 | \$0-1,000,000 (\$500,000 for organizations). | 7-11 for Class A felony. | Class A, 2 nd felony, 10-14 years; Class A 3 rd felony, 15-20 years. | | 20-99 years, prescribed minimum may not be reduced. |
| Arizona | .5 to death | 5 months – 1 st offense; up to 22 months – 2 nd offense | \$0-150,000 | 7 for Class 2 felony. | 2 nd Class 2 felony 6 yrs; 3 rd Class 2 felony 14 yrs. | ■ | |
| Arkansas | 0 to death | 1 | \$0-15,000 | Up to 15 additional. | Enhanced after 2 nd and 4 th offenses. | ■ | |
| California | 1.25 to death ¹ | 1 | No minimum, maximum varies according to crime. ² | 1 to 25-to-life. | Felony sentence doubled if 1 prior “serious” or “violent” felony. If 2 “serious” or “violent” felonies, LWOP (25 to life). 3 rd violent felony, LWOP. Additional years for each prior serious felony conviction. | ■ | |
| Colorado | 1 to death | 2 | \$0-1 million | Midpoint presumptive to 2 times max. | 3 rd offense within past 10 yrs, 3x the presumptive range maximum. 4 th offense, 4 times presumptive range maximum. | ■ | |
| Connecticut | 1 to death | 1 | \$0-20,000 ³ | 5 | Upon 3 rd felony conviction, use next most serious felony. | ■ | |
| Delaware | 0 to death | 1 | No min/max. For corporations: 2.3 times amount of gain or \$11,500. | 2 – Class B felony. | 4 th or subsequent, up to LWOP; 3 rd conviction of serious felony, LWOP. | ■ | |
| District of Columbia | 1 yr/life | 1 | \$0 minimum, maximum varies according to crime. Mandatory victims of violent crime assessment. | 5 – 1 st offense; 3x minimum (not less than 5 yrs) for 2 nd or subsequent offense. | 2 nd felony, up to 1½ maximum sentence; 3 rd or more conviction, up to and including life. | ■ | |
| Florida | 1 to death | 1 | \$0-\$500,000 | Up to 8 additional for any of several specified felonies. | 2 prior felonies: 1 st degree – up to life; 2 nd degree – up to 30 yrs. | ■ | |
| Georgia | 1 to death | 1 | \$0-100,000 individual; up to \$1 million for an organization. | 10 – 1 st offense; life – 2 nd or subsequent offense. | 2 nd felony, longest for that offense; 4 th felony, max sentence w/o parole; 2 nd serious violent felony, LWOP. | | 30 yrs w/o parole. |
| Hawaii | 0 to LWOP, may be commuted after 20 years ⁴ | 1 | No minimum, maximum varies according to crime; \$50,000 maximum for Class A felony. | Decided by parole authority unless the court makes a finding that a firearm was used. | 2 or more felonies and murder in the 2 nd degree, LWOP; Class A felony, life; Class B felony, 20 yrs; Class C felony, 10 yrs. ⁵ | ■ | Governor may commute after 20 yrs. ⁴ |
| Idaho | 0 to death | 1 | \$0-50,000 | 15 added to sentence. | 3 rd felony, 5 yrs extendible to life. | ■ | |
| Illinois | 1 to death | <1 | For individual \$0-25,000 (corporation \$0-50,000) or amount specified in the offense, whichever is greater. | Up to 25. | 3 rd offense (only Class X felony, criminal sexual assault, aggravated kidnapping, or 1 st degree murder) within 20 yrs - life | ■ | |

Table 43. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement

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| | Sentences (years) | | Felony fine range | Deadly weapon use – MM (years) | Habitual offender* | Most serious non-capital sentence | |
|----------------------|------------------------|------------------------------------|---|--|---|-----------------------------------|---|
| | Felony range | Misdemeanor maximum | | | | LWOP | Note |
| Indiana | .5 to death | 1 | \$0-10,000 | 20 added to sentence. | 3 rd or subsequent felony, sentence for current conviction; max=3x presumptive sentence, additional may not exceed 30 yrs. | ■ | |
| Iowa | 0 ⁶ to LWOP | 2 for aggravated; 1 otherwise | \$0-10,000 + surcharge of 30% for criminal justice programs. | 5 | 3 rd offense, not eligible for parole until served at least 3 yrs. | ■ | |
| Kansas | 0 to death | 1 | \$500,000 maximum | ~ | Criminal history used in every sentencing decision. | | Life, parole possible after 25 yrs. |
| Kentucky | 1 to death | 1 | \$1,000-10,000 for individual; \$20,000 for corporation. | ~ | 2 nd felony, sentenced for next highest degree, no probation or conditional discharge. 3 rd or more, not less than 20 nor more than life, 10 yrs served w/o parole. | | Life w/o parole for 25 yrs, life or a term of years not less than 20. |
| Louisiana | 0 to death | 1 ⁷ | No minimum, maximum varies according to crime. | 5 or maximum sentence for crime where used. | 2 nd felony, not less than ½ max term. 3 rd not less than 2/3 max. 3 rd serious felony or 4 th or subsequent, LWOP. | ■ | |
| Maine | 0 to life ⁸ | <364 days ⁸ | \$0-50,000 or twice pecuniary gain. \$100,000 for organizations. | 1-4. Sentencing class for crime one class higher than normal | ~ | ■ | Or any term of yrs not less than 25. |
| Maryland | 1.5 to death | 3 | \$500 minimum, maximum varies. | 5 – no parole. | 4 th crime of violence, life no parole; 3 rd offense, 25 yrs w/o parole. | ■ | Life=25 yrs. |
| Massachusetts | 0 to life | 2.5 | No minimum, maximum varies according to crime. | 1 | 3 rd felony punished by maximum term provided by law for the felony for which he is to be sentenced. | ■ | Life=15 yrs. |
| Michigan | 1 to life | <1 | \$0-10,000 for any indictable common law offense. Other limits vary with offense. | 2 – 1 st offense; 5 – 2 nd offense; 10 – 3 rd or more offense. | Max sentence: 1.5 times for 2 nd ; 2 times for 3 rd . | ■ | Life=15 yrs. |
| Minnesota | 1 to life | <90 days; 1 for gross misdemeanors | \$0-50,000 and \$72 surcharge. | 3 – 1 st offense; 5 – 2 nd or subsequent offense. | Enhanced sentences for dangerous repeat offenders. | ■ | Life=30 yrs. |
| Mississippi | 1 to death | 1 | No minimum; maximum varies according to crime. | 3 for robbery. | 2 nd or subsequent violent offense=LWOP; 3 rd offenders sentenced to maximum possible term. | ■ | Only for Habitual Offenders. |
| Missouri | 1 to death | 1 | \$0-5,000 (10,000 for corporations) or twice gain; not more than \$20,000. | 3 additional – 1 st offense; 5 additional – 2 nd offense; 10 additional – 3 rd offense or more. | Up to 30 yrs. Extended terms for persistent offenders convicted of 2 or more felonies committed at different times. | ■ | |
| Montana | 1 to death | 1 | \$0-50,000 | 2 additional – 1 st offense; 4 additional – 2 nd offense. | If 21 or older, 5 yrs for 2 nd or subsequent offense, 10 yrs if prior was within past 5 yrs | ■ | LWOP ⁹ , life or a term of years not less than 10 nor more than 100. |
| Nebraska | 0 to death | 1 | \$0-25,000 | 1 | 3 rd offense =10 yrs. 25 years for violent felonies. 60 years maximum. | | Life, indeterminate sentencing. |

Table 43. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement

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| | Sentences (years) | | Felony fine range | Deadly weapon use – MM (years) | Habitual offender* | Most serious non-capital sentence | |
|--------------------------------|---|---|---|--|--|-----------------------------------|---|
| | Felony range | Misdemeanor maximum | | | | LWOP | Note |
| Nevada | 1 to death | .5 gross misdemeanor; 1 otherwise | \$0-10,000 unless greater provided by statute (i.e., up to \$500,000 for drug trafficking). | 2 times the sentence of underlying crime. | For 3 rd felony, 5 to 20 years or 10 to life w/o possibility of parole. | ■ | LWOP or life w/o parole for 20 yrs. |
| New Hampshire | 1 to death ¹⁰ | 1 | \$0-4,000 (100,000 for corporations). | 3 – 1 st offense; 6 – 2 nd offense. | | ■ | Life w/o eligibility of parole. |
| New Jersey¹¹ | 5 to life 1 st and 2 nd degree "crime" – death possible for capital murder. | .5 for "offenses"; 3-5 – 3 rd degree; up to 1.5 – 4 th degree ¹² | \$0-200,000 for 1 st degree; \$0-150,000 for 2 nd degree "crime." | 1/3 or ½ of sentence or 3 yrs whichever is greater. | May be sentenced to extended term of imprisonment. | | 30 yrs to life, no parole for 30 yrs. |
| New Mexico | 1 to death | 364 days | \$0-15,000 | 1 additional – 1 st offense; 3 additional – 2 nd or subsequent; life – 3 rd violent felony or 2 nd violent sexual offense. | Additional 1 yr for 2 nd offense; 4 yrs additional for 3 rd ; 8 yrs for 3 rd or subsequent. | ■ | Life=No parole for 30 yrs. |
| New York | 1 to death | 1 | \$0-5,000 (10,000 for corporations) or twice gain +\$155 surcharge. ¹³ | ~ | 3 rd violent felony=20, 16, or 12 yr minimums; 3 rd felony may be sentenced as a higher severity. | ■ | |
| North Carolina | .25 to death | 150 days | Fine set at the discretion of the court unless the statute specifies. | 5 | 3 prior felony convictions, increase in sentence to Class C felony unless convicted of A-B felony. 2 prior violent felonies LWOP. | ■ | |
| North Dakota | 0 to LWOP | 1 | \$0-10,000 (\$50,000 for organizations)+ crime stoppers reward. ¹⁴ | 4 – Class A or B felony; 2 – Class C + no parole. | LWOP for Class A; 20 yrs for B; 10 yrs for C; Habitual offenders=2 previous felony convictions. | ■ | |
| Ohio | 1 to death | 1 | Drug cases mandatory fines start at \$1,500. ¹⁵ Otherwise \$0-25,000. | 3-6 additional term. | Additional 1-10 yrs. | ■ | |
| Oklahoma | 1 to death | 1 | \$0-10,000 | Increase by 2 sentencing levels on sentencing matrices. | If subsequent felony occurs within 10 yrs of last, increase 1-6 levels on sentencing matrices for each prior depending on type of offense. | ■ | LWOP or life – for parole purposes only, life is considered 45 yrs. |
| Oregon | 1 to death | 1 | \$0-375,000 or double the amount of gain (\$50,000 for corporations). ¹⁶ | 5 – 1 st ; 10 – 2 nd ; 30 – 3 rd offense. ¹⁷ | The maximum indeterminate sentence of imprisonment for a "Dangerous Offender" is 30 yrs. | ■ | Life=30 yrs minimum. |
| Pennsylvania | 0 to death | 5 | Minimum and maximum varies according to crime. \$0-500,000. | 5 | 10 yrs for 2 nd offense, 25 yrs or life for 3 rd violent offense. | ■ | |
| Puerto Rico | .5-99 | .5 or \$500 or both | \$0-5,000 | Maximum penalty for the crime. Carrying firearm: 1-5. | 2 nd conviction, penalty increased again by half; aggravated recidivism, 20 yrs. | | 99 yrs w/o eligibility for parole for 25 yrs. |

Table 43. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement

Legend: MM=Mandatory minimum sentence; LWOP=Life without parole; ~=Not applicable; ■=Yes

| | Sentences (years) | | Felony fine range | Deadly weapon use – MM (years) | Habitual offender* | Most serious non-capital sentence | |
|-----------------------|-------------------|---|--|--|---|-----------------------------------|---|
| | Felony range | Misdemeanor maximum | | | | LWOP | Note |
| Rhode Island | 1 to LWOP | 1 | \$1,000-50,000 ¹⁸ | 3 – 1 st ; 10 – 2 nd ; 15 – 3 rd offense | 3 rd or subsequent offense may be sentenced to additional term not exceeding 25 yrs. | ■ | |
| South Carolina | .25 to death | 0 | No minimum, maximum varies according to crime. | 5 | Add 1-5 yrs for any subsequent conviction depending on length of time since last conviction. LWOP for 2 nd conviction (if previous conviction was “most serious”) or for 3 rd conviction (if previous convictions were “serious” offenses). | ■ | |
| South Dakota | 0 to death | 1 or \$1,000 or both | \$0-25,000 | 5 – 1 st ; 10 – 2 nd or subsequent offenses. | 2 nd or subsequent felony, sentence enhanced by changing class to next most severe. | ■ | |
| Tennessee | 1 to death | 11 months 29 days | \$0-50,000 (350,000 for corporations). ¹⁹ | ~ | Repeat violent offenders (2 prior violent offense convictions)=LWOP; multiple offenders=increase in sentencing range; career offenders=maximum sentence. | ■ | LWOP (no less than 25 full calendar yrs). |
| Texas | .5 to death | 1 | \$0-10,000 (20,000 for corporations; 50,000 for corporations if serious bodily injury or death). | ~ | 2 nd felony, 15 to 99 yrs, if 1 st degree felony; for 2 nd or 3 rd degree felony, increase sentence to next degree. Life if 2 nd sexual offense conviction. | | Life, no parole for 40 yrs. |
| Utah | 0 to death | 1 | \$0-10,000 (20,000 for corporations) or twice damages. | Not less than 5. | Additional 3 yr term for each prior felony sex offense, LWOP for 3 rd conviction. Violent habitual offender=2 previous convictions of a violent felony. Increases sentence to that of 1 st degree felony for 2 nd or 3 rd degree felony; for 1 st degree felony, penalty is the same but no chance for parole. | ■ | |
| Vermont | 2 to life | 2 | \$0-10,000 | ~ | 4 th felony may be sentenced to life or LWOP ²⁰ or 3 rd felony for crimes of violence. | ■ | |
| Virginia | 1 to death | 1 | \$0-100,000 | 3 – 1 st offense; 5 – 2 nd or subsequent. | 2 previous convictions for acts of violence=LWOP. | ■ | |
| Washington | 1 to death | 1 – gross misdemeanor; 90 days for misdemeanor. | \$0-50,000 | Additional range .5 to 5 depending on weapon. | Mandatory prison sentence. | ■ | |
| West Virginia | 1 to LWOP | 1 | No minimum; maximum varies according to crime. | Armed felon not eligible for probation. | 2 nd felony, maximum increased by 5 yrs. 3 rd or subsequent, must be sentences to life. 2 nd conviction for petit larceny a felony (1 yr). | | Life, indeterminate sentencing (with eligibility for parole). |
| Wisconsin | 0 to life | .75 | \$10-100,000 | Up to 5. | Max may be increased 2, 4, 6 yrs. Repeater if convicted of a felony during 5 yr period preceding crime or for misdemeanors on 3 separate occasions during the same period. | | Life |
| Wyoming | 1 to death | 1 | \$500 minimum; maximum varies. | Additional time: 10 – 1 st offense; 20 – 2 nd offense. | If convicted of violent felony, 10 yrs for 3 rd offense; life for 3 rd or subsequent. | ■ | |

Table 43. Sentencing Statutes: Key Definitions and Provisions for Sentence Enhancement

*Where habitual offender statutes are especially complex, only the minimum sentence for the maximum class of offense is stated.

DEFINITION:

Life: Listed here for capital offenses is the “minimum maximum” (short of death); usually “life” does not mean that the inmate will die incarcerated and often “Life without parole” does not mean the same as “life without the possibility of parole.”

FOOTNOTES:**California:**

¹ Felony minimums; state does not divide felonies into classes and some crimes may be either felonies or misdemeanors with prison or less than 1 year in county jail as options.

² Fines vary by offense circumstances. For example, a 2nd or subsequent money laundering offense carries a maximum fine of \$500,000 or 5 times amount gained.

Connecticut:

³ The court can impose an alternative fine, where the defendant has gained money or property through the commission of any felony, misdemeanor or violation, up to an amount fixed by the court, which cannot exceed double the amount of the defendant's gain.

Hawaii:

⁴ Indeterminate sentencing is used; there is no definite sentence distinction between felony and misdemeanor. Minimum sentence, even in “life without parole,” is determined by paroling authority. HRS 706-656 (1) requires sentencing judge to order director of Public Safety and Parking Authority to prepare an application for the governor to commute a LWOP sentence to life imprisonment with parole after 20 years.

⁵ Hawaii does not have a “habitual” offender statute. Criteria for “persistent” offender include “previously convicted of two felonies committed at different times” HRS 706-622 (1). Criteria for “multiple” offender include “being sentenced for two or more felonies” HRS 706-662 (4).

Iowa:

⁶ First felony offense for certain controlled substances, court may sentence less than mandatory minimum if mitigating circumstances exist.

Louisiana:

⁷ In Louisiana, the distinction between a felony and a misdemeanor is not based on the length of the sentence. Felonies are defined as any crime that is punishable by death or imprisonment at hard labor. Misdemeanors are any other crimes.

Maine:

⁸ Criminal code does not use felony, misdemeanor terminology. Crimes are classed as murder or A - E crimes.

Montana:

⁹ Court may impose restriction that defendant be ineligible for parole. The court must state the reasons for this in writing as part of the judgment. Life without parole may be applied to any felony, not just habitual offenders or 1st degree murder.

New Hampshire:

¹⁰ One hundred-fifty days are added to each year of a sentence; these days may be subtracted for good behavior at rates of 12 1/2 days for each month of good behavior.

New Jersey:

¹¹ Crimes are classified as “crimes” (1st, 2nd, 3rd & 4th degree) and “offenses” (lesser degree of severity).

¹² 3rd degree “crimes” include “high misdemeanors”; 4th degree crimes include “misdemeanors.”

New York:

¹³ Fine amounts include \$155 mandatory surcharge of which \$5 is for victim assistance. Maximum may be up to \$100,000 if for drug trafficking crimes.

North Dakota:

¹⁴ Convicted felons must also repay awards paid by “crimestoppers” program. Reparations may also include treatment costs for sex offender victims.

Ohio:

¹⁵ In drug cases the maximum fine may be \$25,000. Certain crimes require convicted felon to reimburse agencies for their investigation and prosecution costs.

Oregon:

¹⁶ Up to \$500,000 for murder and aggravated murder.

¹⁷ Enhanced penalty for use of firearm doubles to 10 and 20 years, respectively, if the firearm is a machine gun, short-barreled rifle or shotgun, or has a silencer.

Rhode Island:

¹⁸ Fines vary, e.g., money laundering is \$500,000 or 2 times value, in bribery, fine is up to three times gift amount.

Tennessee:

¹⁹ In drug cases the mandatory minimum felony fine is \$1,000 up to a maximum of \$500,000.

Vermont:

²⁰ Governor has the power to commute a life without parole sentence to a term of years.

Table 44. Jurisdiction for Adjudication and Sentencing of Felony Cases

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; ~/=Not applicable; ■=Yes

Note: Only those courts with felony jurisdiction are included in this table.

| | Does the court have jurisdiction for: | | | | | | Can sentence be altered after it begins? | | |
|------------------------------|---------------------------------------|------------|------------------------|--------------|--------------------------------|-----------------|--|----------------|-----------------|
| | Preliminary hearings | | Guilty pleas | | Can felonies in this court be: | | | Trial judge | Appellate judge |
| | Available | Prohibited | Reduced to misdemeanor | Felony cases | Filed | Dismissed | Sentenced | | |
| Alabama | | | | | | | | | |
| GJ Circuit | | 1 | ■ | ■ | ■ ² | ■ | ■ | ■ ³ | ■ |
| LJ District | ■ | | ■ | ■ | ■ ¹ | ■ | ■ | ■ ³ | ■ |
| Alaska | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ District | ■ | | ■ | | ■ | | | ~ | ~ |
| Arizona | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ | ■ ⁵ | ■ ⁵ | ■ | ■ ⁴ | ■ |
| LJ Justice of the Peace | ■ | | ■ | | ■ ⁵ | ■ ⁵ | | ~ | ~ |
| Arkansas | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ District | ■ | | ■ | | ■ | | | ~ | ~ |
| LJ City | ■ | | ■ | | ■ | | | ~ | ~ |
| California | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ | ■ | ■ | ■ | ■ ⁶ | ■ ⁷ |
| Colorado | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| GJ Denver Juvenile | N/S | N/S | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ County | ■ | | ■ | ■ | ■ | ■ | | ~ | ~ |
| Connecticut | | | | | | | | | |
| GJ Superior | 8 | | ■ | ■ | ■ | ■ | ■ | ■ | |
| Delaware | | | | | | | | | |
| GJ Superior | N/S | N/S | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ Justice of the Peace | N/S | N/S | ■ | | ■ | | | ~ | ~ |
| LJ Family | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| LJ Common Pleas | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| LJ Alderman's | N/S | N/S | ■ | | | | | ~ | ~ |
| District of Columbia | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Florida | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ County | N/S | N/S | ■ | | | | | ~ | ~ |
| Georgia | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ | ■ | ■ ⁹ | ■ | ■ | |
| LJ Civil | ■ | | ■ | | ■ | ■ ⁹ | | ~ | ~ |
| LJ State | ■ | | | | | ■ ⁹ | | ~ | ~ |
| LJ Magistrate | ■ | | | | | ■ ⁹ | | ~ | ~ |
| LJ County Recorder's | ■ | | | | | ■ ⁹ | | ~ | ~ |
| LJ Municipal/City of Atlanta | ■ | | | | | ■ ⁹ | | ~ | ~ |
| Hawaii | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ ¹⁰ | ■ ¹¹ | ■ | ■ | ■ |
| LJ District | ■ | | | | ■ ¹⁰ | ■ ¹¹ | | ~ | ~ |
| Idaho | | | | | | | | | |
| GJ District | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Magistrate's Division | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| Illinois | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Indiana | | | | | | | | | |
| GJ Superior and Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ County | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

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Note: Only those courts with felony jurisdiction are included in this table.

| | Does the court have jurisdiction for: | | | | | | Can sentence be altered after it begins? | | |
|-----------------------------------|---------------------------------------|------------|------------------------|--------------|--------------------------------|-----------|--|-----------------|-----------------|
| | Preliminary hearings | | Guilty pleas | | Can felonies in this court be: | | | Trial judge | Appellate judge |
| | Available | Prohibited | Reduced to misdemeanor | Felony cases | Filed | Dismissed | Sentenced | | |
| Iowa | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | |
| Kansas | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ ¹² | ■ |
| Kentucky | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ District | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| Louisiana | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Maine | | | | | | | | | |
| GJ Superior | | ■ | ■ | ■ | ■ | ■ | ■ | ■ ¹³ | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ ¹³ | |
| Maryland | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | |
| Massachusetts¹⁴ | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ ¹⁵ |
| LJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Juvenile | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Housing | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Boston Municipal | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Michigan | | | | | | | | | |
| GJ Circuit | | ■ | ■ | ■ | | ■ | ■ | ■ | |
| LJ District | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| LJ Municipal | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| Minnesota | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | |
| Mississippi | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | | ■ |
| LJ County | ■ | | ■ | ■ | ■ | ■ | ■ | N/S | N/S |
| LJ Municipal | ■ | | | | ■ | ■ | | ~ | ~ |
| Missouri | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Montana | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | N/S | N/S | N/S |
| LJ Justice of the Peace | N/S | N/S | ■ | | ■ | ■ | N/S | N/S | N/S |
| Nebraska | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ~ | ■ |
| LJ County | ■ | | ■ | | | ■ | | ~ | ~ |
| Nevada | | | | | | | | | |
| GJ District | N/S | N/S | ■ | ■ | | ■ | ■ | 16 | |
| LJ Justice | ■ | | ■ | | ■ ¹⁷ | ■ | | ~ | ~ |
| New Hampshire | | | | | | | | | |
| GJ Superior | | | ■ | ■ | ■ | ■ | ■ | ■ ¹⁸ | ■ |
| LJ District | ■ | | | | ■ | ■ | | ~ | ~ |
| New Jersey | | | | | | | | | |
| GJ Superior | 19 | | ■ | ■ | ■ ²⁰ | ■ | ■ | ■ ²¹ | ■ |
| LJ Municipal | ■ | | ■ | | ■ | | | ~ | ~ |

Table 44. Jurisdiction for Adjudication and Sentencing of Felony Cases

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; ~/=Not applicable; ■=Yes

Note: Only those courts with felony jurisdiction are included in this table.

| | Does the court have jurisdiction for: | | | | | | | Can sentence be altered after it begins? | |
|-----------------------------------|---------------------------------------|------------|------------------------|-----------------|--------------------------------|-----------|-----------|--|-----------------|
| | Preliminary hearings | | Guilty pleas | | Can felonies in this court be: | | | Trial judge | Appellate judge |
| | Available | Prohibited | Reduced to misdemeanor | Felony cases | Filed | Dismissed | Sentenced | | |
| New Mexico | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ ²² | |
| LJ Magistrate | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| LJ Metropolitan/Bernalillo County | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| New York | | | | | | | | | |
| GJ Supreme | N/S | N/S | ■ | ■ | ■ | ■ | ■ | 23 | 24 |
| GJ County | N/S | N/S | ■ | ■ | ■ | ■ | ■ | 23 | 24 |
| LJ District | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| LJ City | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| LJ NYC Criminal | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| LJ Town & Village Justice | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| North Carolina | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ ²⁵ | ■ | ■ | ■ | ■ | |
| LJ District | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| North Dakota | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ ²⁶ | |
| Ohio | | | | | | | | | |
| GJ Common Pleas | N/S | N/S | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Municipal | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| LJ County | N/S | N/S | ■ | | ■ | ■ | | ~ | ~ |
| Oklahoma | | | | | | | | | |
| GJ District | N/S | N/S | ■ | ■ | ■ | ■ | ■ | ■ ²⁷ | |
| Oregon | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ ²⁸ | |
| LJ Justice | ■ | | ■ | | ■ | ■ | | ~ | ~ |
| Pennsylvania | | | | | | | | | |
| GJ Common Pleas | ■ | | ■ | ■ ²⁹ | ■ | ■ | ■ | ■ | |
| LJ Philadelphia Municipal | ■ | | ■ | ■ | ■ | ■ | | ~ | ~ |
| LJ Magisterial District Judges | ■ | | ■ ³⁰ | ■ | ■ | ■ | | ~ | ~ |
| Puerto Rico | | | | | | | | | |
| GJ First Instance | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Rhode Island | | | | | | | | | |
| GJ Superior | 31 | | ■ | ■ ³² | ■ | ■ | ■ | ■ | ■ |
| LJ District | ■ | | ■ | | ■ | ■ | ■ | ■ | ■ |
| South Carolina | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| South Dakota | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ ³³ | ■ |
| Tennessee | | | | | | | | | |
| GJ Circuit | N/S | N/S | ■ | ■ | | ■ | ■ | ■ | ■ |
| GJ Criminal | N/S | N/S | ■ | ■ | | ■ | ■ | ■ | ■ |
| Texas | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | N/S |
| LJ County-level | ■ | | Some | Some | Some | Some | Some | ■ | N/S |
| Utah | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ Justice | N/S | N/S | ■ | | ■ | | | ~ | ~ |
| LJ Juvenile | ■ | | ■ | ■ | ■ | ■ | | ~ | ~ |
| Vermont | | | | | | | | | |
| GJ Superior | N/S | N/S | ■ | ■ | 34 | | ■ | ■ | ■ |
| GJ District | N/S | N/S | ■ | ■ | ■ | ■ | ■ | N/S | N/S |

Table 44. Jurisdiction for Adjudication and Sentencing of Felony Cases

Legend: GJ=General jurisdiction; LJ=Limited jurisdiction; N/S=Not stated; ~/=Not applicable; ■ =Yes

Note: Only those courts with felony jurisdiction are included in this table.

| | Does the court have jurisdiction for: | | | | | Can felonies in this court be: | | | Can sentence be altered after it begins? | |
|----------------------|---------------------------------------|-----------------|------------------------|-----------------|--------------------------------|--------------------------------|-----------------|-------------|--|----|
| | Preliminary hearings | | Guilty pleas | Felony cases | Can felonies in this court be: | Dismissed | Sentenced | Trial judge | Appellate judge | |
| | Available | Prohibited | Reduced to misdemeanor | | | | | | | |
| Virginia | | | | | | | | | | |
| GJ Circuit | | ■ ³⁶ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | 35 |
| LJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | | |
| Washington | | | | | | | | | | |
| GJ Superior | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ District | ■ | | ■ | ■ ³⁷ | ■ | ■ ³⁷ | ■ ³⁷ | ■ | ~ | ~ |
| West Virginia | | | | | | | | | | |
| GJ Circuit | N/S | N/S | ■ ³⁸ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| LJ Magistrate | ■ | | | | ■ | ■ | | ~ | ~ | |
| Wisconsin | | | | | | | | | | |
| GJ Circuit | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| Wyoming | | | | | | | | | | |
| GJ District | ■ | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | |
| LJ Circuit | ■ | | ■ | | ■ | ■ | | ~ | ~ | |

FOOTNOTES:

Alabama:

- ¹ The District Court has exclusive original jurisdiction to hold preliminary hearings and concurrent jurisdiction with the Circuit Court to receive guilty pleas.
- ² Felony cases can be filed in the Circuit Court after indictment.
- ³ If sentenced pursuant to Alabama's split sentence law.

Arizona:

- ⁴ The trial judge may alter a Superior Court felony sentence only in limited circumstances.
- ⁵ Felony preliminary hearing cases can be filed and dismissed in the Justice of the Peace court.

California:

- ⁶ The trial judge may alter a felony sentence, but only for a limited time.
- ⁷ The appellate judge may alter a felony sentence if it is found to be unlawful on appeal.

Connecticut:

- ⁸ Preliminary hearing cases are available in the Superior Court subsequent to arraignment.

Georgia:

- ⁹ Only courts acting as committal court.

Hawaii:

- ¹⁰ For preliminary hearing.
- ¹¹ If they can find no probable cause.

Kansas:

- ¹² A statutory procedure is provided in lieu of habeas corpus, which begins in the trial court that imposed the sentence.

Maine:

- ¹³ The trial judge may alter a felony sentence within one year after it begins.

Massachusetts:

- ¹⁴ A felony is a crime punishable by imprisonment in a state prison; all other crimes are misdemeanors. Some courts, District Court and Boston Municipal Court, can try felonies punishable by up to 5 years in prison, but can only sentence to 2 ½ years in jail. Most major felonies are tried in the Superior Court but it is possible to try limited classes of felonies in the Juvenile Courts or Housing Courts.
- ¹⁵ The appellate judge may reduce a sentence after it begins.

Nevada:

- ¹⁶ The trial judge may alter a District Court felony sentence upon petition by the parole board.
- ¹⁷ Preliminary hearings are conducted only in Justice Court.

New Hampshire:

- ¹⁸ The review board may alter a Superior Court felony sentence; the trial judge may not.

New Jersey:

- ¹⁹ A finding of probable cause may occur in the Superior Court, but it is rare.
- ²⁰ Most felony cases are filed initially in the Municipal Court.
- ²¹ The trial judge may alter a Superior Court felony sentence within 75 days after it begins.

New Mexico:

- ²² The trial judge may alter a District Court felony sentence within 90 days after it begins.

New York:

- ²³ Trial judges may alter felony sentences if they are illegal, unauthorized, or invalid.
- ²⁴ Appellate judges can only remand to the trial courts.

North Carolina:

- ²⁵ Under G.S. 7A-272 of the N.C. General Statute: With the consent of the presiding District Court judge, the prosecutor, and the defendant, the District Court has jurisdiction to accept a defendant's plea of guilty or no contest to a Class H or I felony if: (1) the defendant is charged with a felony in an information filed pursuant to G.S. 15A-644.1, the felony is pending in District Court, and the defendant has not been indicted for the offense; or (2) the defendant has been indicted for a criminal offense but the defendant's case is transferred from Superior Court to District Court pursuant to G.S. 15A-1029.

North Dakota:

- ²⁶ The trial judge may alter a District Court felony sentence within 120 days after it begins or at any time if the sentence is illegal.

Oklahoma:

- ²⁷ The trial judge may alter a District Court felony sentence within 12 months after it begins.

Oregon:

- ²⁸ The trial judge may alter a Circuit Court felony sentence in order to correct certain errors.

Pennsylvania:

- ²⁹ Philadelphia Municipal Court may accept guilty pleas for felony cases with a maximum five-year sentence.
- ³⁰ Magisterial District Court may accept guilty pleas for felony cases that are reduced to misdemeanors with limited exceptions.

Table 44. Jurisdiction for Adjudication and Sentencing of Felony Cases

Rhode Island:

³¹ Superior Court may determine probable cause.

³² District Court can take a felony plea by agreement of counsel. No jury trials.

South Dakota:

³³ The trial judge may alter a Circuit Court felony sentence within one year after it begins.

Vermont:

³⁴ Superior Court is authorized to accept the filing of felony cases, but it is rare.

Virginia:

³⁵ May convert death penalty to life imprisonment.

³⁶ When treated as adults, no preliminary hearing available.

Washington:

³⁷ Except for Title 75.

West Virginia:

³⁸ If not bound over to Circuit Court.

Table 45. Sentencing Procedures in Capital and Non-Capital Felony Cases

Legend: LWOP=Life without parole; ~=Not applicable; ■=Yes

| | Capital felony cases | | | | | Non-Capital felony cases | | |
|-----------------------------|---|-------------------------|---------------------------|-------------------------------|---|-----------------------------|-------------------------------|------------------------------|
| | Original sentence set by: | Unanimous jury required | LWOP if no jury agreement | Judge can alter jury sentence | Applicable code provisions | Original sentence set by: | Judge can alter jury sentence | Separate sentencing hearing? |
| Alabama | Judge with jury recommendation | ¹ | | ■ | ALA. Code §§ 13A5-46-13A-347 (2003) | Judge | ~ | ■ |
| Alaska | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Arizona | Jury | ■ | | | ARIZ. REV. STAT. § 13-703.01 (Michie 2002) | Judge | ~ | ■ |
| Arkansas² | Jury | ■ | ■ | | ARK. CODE ANN. § 5-4-603 (Michie 1987-2003) | Judge or jury | ■ | ■ |
| California | Jury | ■ | ■ | ■ ³ | CAL. PENAL CODE § 190.1 – 190.4 (West 2003) | Judge | ~ | ■ |
| Colorado | Jury | ■ | ■ | ■ ⁴ | COLO. REV. STAT. § 18-1.3-1201 (2003) | Judge | ~ | ■ |
| Connecticut | Jury | ■ | ■ | | CONN. GEN. STAT. ANN. § 53a-46a (West 2003) | Judge | ~ | ■ |
| Delaware | Judge with jury recommendation | ■ | | ■ | DEL. CODE ANN. tit. 11 § 4209 amended effective June 30, 2003 | Judge | ~ | ■ |
| District of Columbia | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ ⁵ |
| Florida | Judge with jury recommendation | | | ■ | FLA. STAT. ANN. § 921.141 (West 2003) | Judge | ~ | ■ |
| Georgia | Judge with jury recommendation ⁶ | ■ | | ■ ⁶ | GA. CODE ANN. §§ 17-10-2 – 17-10-31 (2003) | Judge | ~ | ■ ⁷ |
| Hawaii | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Idaho | Jury | ■ | ■ ⁸ | | 2003 Idaho Sess. Laws 19 (amending IDAHO CODE § 19-2515 (Michie 1948-2002)) | Judge | ~ | ■ |
| Illinois⁹ | Jury, if waived then judge | ■ | | | 720 ILL. COMP. STAT. ANN. 5/9-1 (West 2003) | Judge | ~ | ■ |
| Indiana | Jury | ■ | | | IND. CODE ANN. § 35-50-2-9 (West 2003) | Judge or jury ¹⁰ | ■ | ■ |
| Iowa | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Kansas | Jury | ■ | | ■ | KAN. STAT. ANN. § 21-4624 (2002) | Judge | ~ | ■ |
| Kentucky | Judge with jury recommendation | ■ | | ■ | KY. REV STAT ANN. § 532.025 (Banks-Baldwin 2003) | Jury | ■ | ■ |
| Louisiana | Jury | ■ | ■ | ■ ¹¹ | LA. CODE CRIM. PROC. ANN. arts. 905 – 905.9 (West 2003) | Judge | ~ | ■ ¹² |
| Maine | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ ¹³ |
| Maryland | Jury | ■ | | | MD. CODE ANN., CRIM. LAW § 2-303 (2003) | Judge | ~ | ■ ¹⁴ |
| Massachusetts | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Michigan | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Minnesota | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Mississippi | Jury | ■ | ■ | | MISS. CODE ANN., § 97-3-21 & § 99-19-101 & -103 (Rev. 2000); § 47-7-3 (1)(f) (Supp. 2003) | Judge | ~ | ■ ¹⁵ |

Table 45. Sentencing Procedures in Capital and Non-Capital Felony Cases

Legend: LWOP=Life without parole; ~=Not applicable; ■=Yes

| | Capital felony cases | | | | Non-Capital felony cases | | | |
|----------------|--|-------------------------|---------------------------|-------------------------------|---|---------------------------|-------------------------------|------------------------------|
| | Original sentence set by: | Unanimous jury required | LWOP if no jury agreement | Judge can alter jury sentence | Applicable code provisions | Original sentence set by: | Judge can alter jury sentence | Separate sentencing hearing? |
| Missouri | Jury | ■ | ■ | | MO. REV. STAT. § 565.030 (2002) | Jury | ■ | ■ ¹⁶ |
| Montana | Judge with jury input ¹⁷ | ■ | | ■ | MONT. CODE ANN. § 46-18-301 (2002) | Judge | ~ | ■ |
| Nebraska | 3 judge panel if jury determines 1 or more aggravators | ■ | | ~ | NEB. REV. STAT. ANN. §§ 29-2520 – 29-2521 (Michie 2003) | Judge | ~ | ■ |
| Nevada | Jury ¹⁸ | ■ | | | NEV. REV. STAT. 175.552 – 175.556 (2003) | Judge | ~ | ■ |
| New Hampshire | Jury | ■ | ■ | | N.H. REV. STAT ANN. § 630:5 (2003) | Judge | ~ | ■ ¹⁹ |
| New Jersey | Jury | ■ | ■ | | N.J. STAT. ANN. § 2C:11-3 (West 2003) | Judge | ~ | ■ |
| New Mexico | Jury | ■ | | | N.M. STAT. ANN. §§ 31-20A-1 – 31-20a (2003) | Judge | ~ | ■ ²⁰ |
| New York | Jury | ■ | | | N.Y. CRIM. PROC. LAW § 400.27 (McKinney 2003) | Judge | ~ | ■ |
| North Carolina | Jury ²¹ | ■ | | | N.C. GEN. STAT. § 15A-2000 (2003) | Judge | ~ | ■ |
| North Dakota | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Ohio | Judge with jury recommendation | ■ | | ■ ²² | OHIO REV. CODE ANN. § 2929.03 (West 2003) | Judge | ~ | ■ |
| Oklahoma | Jury | ■ | | ■ | OKLA. STAT. ANN. tit. 21 §§ 701.10 – 701.11 (West 2003) | Judge | | ■ ²³ |
| Oregon | Jury | ■ | | | OR. REV. STAT. § 163.150 (2003) | Judge | ~ | ■ ²⁴ |
| Pennsylvania | Judge or jury | ■ | ■ | | 42 PA. CONS. STAT. ANN. § 9711 (2003) | Judge | ~ | ■ |
| Puerto Rico | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Rhode Island | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| South Carolina | Jury | ■ | ■ | ■ ²⁵ | S.C. CODE ANN. § 16-3-20 (Law Co-op. 2002) | Judge | ~ | |
| South Dakota | Jury | ■ | ■ | | S.D. CODIFIED LAWS § 23A-27A-4 (Thomson/West 2004) | Judge | ~ | ■ ²⁶ |
| Tennessee | Jury | ■ | | | TENN. CODE ANN. § 39-13-204 (2003) | Judge | ~ | ■ |
| Texas | Jury | ■ ²⁷ | | | TEX. CRIM. PROC. CODE ANN. § 37.071 (Vernon 2003) | Judge or jury | | ■ |
| Utah | Jury | ■ | | ■ ²⁸ | UTAH CODE ANN. § 76-3-207 (2002) | Judge | ~ | ■ |
| Vermont | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Virginia | Jury | ■ | | ■ | VA. CODE ANN. § 19.2-264.4 (Michie 2003) | Jury | ■ | ■ |
| Washington | Jury | ■ | ■ | | WASH. REV. CODE ANN. 10.95.050 – 10.95.080 (West 2003) | Judge | ~ | ■ |
| West Virginia | No death penalty | ~ | ~ | ~ | ~ | Judge ²⁹ | ~ | ■ |

Table 45. Sentencing Procedures in Capital and Non-Capital Felony Cases

Legend: LWOP=Life without parole; ~=Not applicable; ■=Yes

| | Capital felony cases | | | | Applicable code provisions | Non-Capital felony cases | | |
|-----------|---------------------------|-------------------------|---------------------------|-------------------------------|---|---------------------------|-------------------------------|------------------------------|
| | Original sentence set by: | Unanimous jury required | LWOP if no jury agreement | Judge can alter jury sentence | | Original sentence set by: | Judge can alter jury sentence | Separate sentencing hearing? |
| Wisconsin | No death penalty | ~ | ~ | ~ | ~ | Judge | ~ | ■ |
| Wyoming | Jury | ■ | 30 | | WYO. STAT. ANN. § 6-2-102 (Lexis Nexis 1977-2003) | Judge | ~ | ■ |

FOOTNOTES:

Alabama:

¹ Jury must be unanimous in guilt phase, but unanimity is not required (10 of 12 jurors) in sentencing recommendation phase.

Arkansas:

² Jury verdict must contain written findings of certain enumerated aggravating circumstances.

California:

³ Sentence can only be reduced.

Colorado:

⁴ If judge determines jury's death sentence to be "clearly erroneous," may sentence defendant to life imprisonment.

District of Columbia

⁵ The judge has the discretion to sentence at the time of the verdict.

Georgia:

⁶ Where there is a trial by jury, the judge may not impose the death sentence unless the verdict contains at least one statutory aggravating circumstance and a recommendation that such a sentence be imposed.

⁷ The judge has the discretion to sentence at the time of the verdict.

Idaho:

⁸ Sentence is life without parole if the jury finds aggravating circumstances, but does not impose the death penalty.

Illinois:

⁹ Sentencing phase is bifurcated into a phase on the existence of statutory aggravating factors justifying eligibility for the death penalty followed by a separate phase on whether the penalty will actually be imposed.

Indiana:

¹⁰ If state seeks increased penalty under repeat offender statute, then trial jury shall reconvene to assess penalty. Otherwise, judge determines sentence.

Louisiana:

¹¹ Can alter downwards under certain circumstances.

¹² Unless waived.

Maine:

¹³ The judge has the discretion to sentence without a hearing for Class D and E felonies.

Maryland:

¹⁴ The judge has the discretion to sentence at the time of the verdict.

Mississippi:

¹⁵ The judge has the discretion to sentence at the time of the verdict.

Missouri:

¹⁶ See §557.036: Requires separate sentencing except where defendant waives jury sentencing or defendant is principle offender, persistent offender, dangerous offender, persistent sexual offender, or predatory sexual offender.

Montana:

¹⁷ The jury must unanimously find at least one aggravating factor before the judge may pronounce a death sentence.

Nevada:

¹⁸ Jury decides punishment for first-degree murder whether or not death penalty is sought.

New Hampshire:

¹⁹ The judge has the discretion to sentence at the time of the verdict.

New Mexico:

²⁰ The judge has the discretion to sentence at the time of the verdict.

North Carolina:

²¹ Jury renders a sentence recommendation, and the judge imposes such sentence.

Ohio:

²² Upon jury recommendation of death sentence, court must find beyond a reasonable doubt that aggravating factors outweigh mitigating factors before imposing sentence.

Oklahoma:

²³ A separate sentencing hearing is conducted only if the defendant is a repeat offender; prior convictions are then taken into account.

Oregon:

²⁴ The judge has the discretion to sentence at the time of the verdict.

South Carolina:

²⁵ Before pronouncing death sentence, judge must verify that death penalty was warranted under the evidence of the case and was not a result of prejudice, passion, or any other arbitrary factor.

South Dakota:

²⁶ Court may order a separate sentencing hearing, but it is not mandatory.

Texas:

²⁷ Requires a jury determination even when defendant pleads guilty.

Utah:

²⁸ If the jury is unable to agree on death sentence, the court shall instruct the jury to determine by a ten to two vote whether the penalty of life imprisonment without parole should be imposed. If the jury is unable to agree on life without parole, the court will sentence to life imprisonment.

West Virginia:

²⁹ Though the state does not have death penalty, certain offenses are considered capital felonies and carry penalty of life with or life without mercy (eligibility for parole). In these cases, the jury determines the sentence, which the judge may not alter.

Wyoming:

³⁰ If the jury is not unanimous on death sentence, then they must decide on sentence of life without parole. If the jury not unanimous on life without parole, then judge gives life sentence.

Table 46. Active Sentencing Commissions/Sentencing Guideline Systems

Legend: N/S=Not stated; --=Not applicable

Note: Only those States with Sentencing commissions/Sentencing guidelines are included in this table.

| State/ Commission name | Sentencing commission characteristics | | | Sentencing guidelines | | |
|---|---------------------------------------|--|---|-----------------------|-----------|-----------|
| | Established | Membership | Responsibilities | Established | Mandatory | Voluntary |
| Alabama Sentencing Commission | 2000 | 16 voting members including the Chief Justice of the Supreme Court or another sitting or retired judge, governor and attorney general or their designees, 1 district attorney, 2 active or retired circuit judges, 1 active or retired district judge, 1 victim or immediate family member of a victim of a violent felony, chairs of House and Senate Judiciary Committees or their designees, 1 private criminal defense attorney, 1 other private attorney specializing in criminal law, 1 county commissioner, commissioner of Department of Corrections and chair of Board of Pardons and Parole or their designees, 1 academic; advisory council consisting of representatives from state and non-state agencies and organizations; 4-year terms, or term of public office or position | Review existing sentencing structure and recommend changes to the legislature to create a fair, efficient, and uniform system of sentencing; provide accurate information to parties involved in a criminal case about the length and nature of sentence; prevent prison overcrowding and premature release of prisoners; provide judges with flexibility and meaningful discretion in sentencing; create a wider array of sentencing options in appropriate cases; limit the discretion of district attorneys in determining the charge or crime | 1 | | ■ |
| Arkansas Sentencing Commission | 1993 | 9 voting members composed of 3 judges, 2 prosecuting attorneys, 2 public defenders, and 2 private citizens appointed by the governor to five-year terms. The chair of the House Judiciary Committee and the Senate Judiciary Committee serve as non-voting members | Evaluate effect of sentencing laws and make revisions to sentencing standards | 1994 | ■ | |
| Delaware Sentencing Accountability Commission | 1983 | 11 members including 4 members of the judiciary appointed by the Chief Justice; attorney general or designee; public defender or designee; commissioner of corrections; 4 other members-at-large with knowledge of Delaware sentencing practices, including 2 appointed by governor, 1 by president pro tempore of Senate, and 1 by speaker of the house; 4-year terms | Develop and recommend sentencing guidelines emphasizing accountability of the offender to the criminal justice system and accountability of the criminal justice system to the public, and ensuring certainty and consistency of punishment commensurate with seriousness of offense and with due regard for resource availability and cost | 1987 | | ■ |
| District of Columbia Sentencing Commission | 1998 | N/S | Conduct an annual review of sentencing data, policies, and practices in the District of Columbia; ensure appropriateness of all felony sentences; provide for the use of intermediate sanctions in appropriate cases; make such other recommendations appropriate to enhance the fairness and effectiveness of criminal sentencing policies and practices | 2000 | N/S | N/S |

Table 46. Active Sentencing Commissions/Sentencing Guideline Systems

Legend: N/S=Not stated; ~=Not applicable

Note: Only those States with Sentencing commissions/Sentencing guidelines are included in this table.

| State/ Commission name | Sentencing commission characteristics | | | Sentencing guidelines | | |
|---|---------------------------------------|---|--|-----------------------|--|-----------|
| | Established | Membership | Responsibilities | Established | Mandatory | Voluntary |
| Kansas Sentencing Commission | 1989 | 17 members including 3 judges, 1 representative of the attorney general, chief court service officer, 1 community corrections representative, 1 corrections representative, 1 defense attorney, 1 Parole Board representative, 1 district attorney, 1 public defender, 4 legislators, and 2 members of the public appointed by the governor | Implement and enforce Kansas Sentencing Guidelines | 7/1/1993 | ■ May deviate with sufficient justification | |
| Kentucky Blue Ribbon Commission on Sentencing | 2005 | N/S | N/S | ~ | ~ | ~ |
| Louisiana Sentencing Commission | 1987 | 19 voting members including 1 house member appointed by house speaker, chairman of House Committee on Administration of Criminal Justice, 1 Senate member appointed by Senate president, chairman of Senate Committee on Judiciary; 2 district attorneys, 2 criminal defense attorneys, 2 sheriffs, 1 Court of Appeal judge, 5 District Court judges, 1 City Court judge, 1 Supreme Court justice, 1 felony victim or family member of felony victim, all appointed by governor subject to Senate confirmation and serving terms concurrent with that of governor; 4 nonvoting members | Conduct annual review of state sentencing structure; recommend legislation to achieve a uniform sentencing policy | 1/1/1992 ² | | ■ |
| Maryland State Commission on Criminal Sentencing Policy | 1999 | 19 members including chairman appointed by governor; chief judge of Court of Appeals or designee who is a judge or former judge of the Court of Appeals or the Court of Special Appeals; 1 Circuit Court judge; 1 District Court judge; attorney general or designee; 1 state's attorney; public defender or designee; 1 criminal defense attorney; 2 Senate members, including at least 1 member of Senate Judicial Proceedings Committee, appointed by Senate president; 2 house members, including at least 1 member of House Judiciary Committee, appointed by house speaker; secretary of Department of Public Safety and Correctional Services or designee; 1 representative from Victims' Advocacy Group, 1 representative from law enforcement, 1 expert in criminal justice or corrections policy, 1 representative of local correctional facilities, and 2 representatives of the public, appointed by governor; staggered 4-year terms | Adopt existing sentencing guidelines for sentencing within the limits established by law; adopt guidelines to identify defendants appropriate for participation in corrections options programs; monitor circuit court sentencing practice and adopt changes to the guidelines consistent with legislative intent; conduct guidelines training and orientation for system participants and other interested parties; provide formal fiscal and statistical information on proposed legislation concerning sentencing and correctional practice | 1983 | | ■ |

Table 46. Active Sentencing Commissions/Sentencing Guideline Systems

Legend: N/S=Not stated; ~=Not applicable

Note: Only those States with Sentencing commissions/Sentencing guidelines are included in this table.

| State/ Commission name | Sentencing commission characteristics | | | Sentencing guidelines | | |
|---|---------------------------------------|---|--|-----------------------|---|-----------|
| | Established | Membership | Responsibilities | Established | Mandatory | Voluntary |
| Massachusetts Sentencing Commission | 1994 | 9 voting members and 6 nonvoting members including judicial representatives, attorneys, and law enforcement officers | Recommend Guideline system to legislature and provide other evaluations of sentencing efficiency | ~ | ~ | ~ |
| Michigan Guidelines Advisory Committee | 1995 | 19 members including legislators, judges, law enforcement and corrections officers, and private citizens | Review, revise and recommend guidelines to legislature | 1998 | ■ May depart with reason | |
| Minnesota Sentencing Guidelines Commission | 1978 | Chief Justice of the Supreme Court, 1 Court of Appeals judge, 2 District Court judges appointed by the Chief Justice, public defender, county attorney, representatives from law enforcement and corrections, and 2 members of the public chosen by the governor. 4 year terms | Establish guidelines and modify as necessary | 1978 | ■ May depart from guidelines only with written justification | |
| Missouri Sentencing Advisory Commission | 1990 | 11 including 1 appointment by speaker of house, 1 by president pro tem of Senate, 6 by governor from following: Public Defender Commission; citizens' organizations; Board of Probation and Parole; prosecutors, and members of state bar. 2 members appointed by Supreme Court | Establish system of recommended sentences and study its implementation | 1995 | | ■ |
| New Jersey Commission to Review Criminal Sentencing | 2004 | 15 members including 2 Senate members from different political parties, appointed by Senate president; 2 general assembly members from different political parties appointed by speaker; attorney general or designee; commissioner of corrections or designee; public defender or designee; Chief Justice or designee; chairman of state Parole Board or designee; president of New Jersey County Prosecutors Association or representative; president of New Jersey State Bar association or representative; 1 public member appointed by Senate president; 1 public member appointed by speaker of general assembly; 2 public members from different political parties, appointed by governor; members serve during their terms of public office or until the commission expires | Review statutory law pertaining to criminal sentences and make recommendations for legislation to ensure these sentences are fair and proportionate to other sentences imposed for criminal offenses | ~ | ~ | ~ |

Table 46. Active Sentencing Commissions/Sentencing Guideline Systems

Legend: N/S=Not stated; ~=Not applicable

Note: Only those States with Sentencing commissions/Sentencing guidelines are included in this table.

| State/ Commission name | Sentencing commission characteristics | | | Sentencing guidelines | | |
|---|---------------------------------------|--|--|---|-----------|-----------|
| | Established | Membership | Responsibilities | Established | Mandatory | Voluntary |
| New Mexico Sentencing Commission | 2003 | 23 members including representatives of all 3 branches of government and community organizations | Advise executive, judicial, and legislative branches on policy matters relating to criminal and juvenile justice; make recommendations to the legislature to improve the criminal and juvenile justice systems; annually assess, monitor, and report to the legislature on the impact of any enacted sentencing standards and guidelines on state and local correctional resources and programs and the need for further sentencing reform; monitor any enacted sentencing guidelines with respect to uniformity and proportionality; conduct research; review proposed legislation and conduct impact estimates | ~ | ~ | ~ |
| North Carolina Sentencing and Policy Advisory Commission | 1990 | 28 members: Chief Justice appointee (chair); 1 judge each: Court of Appeals, Superior Court, District Court; 3 each: house and Senate; attorney general; 1 each: district attorney, defense attorney, sheriff, police chief, county commissioner; 1 representative each: academic, bar, business, community sentencing, corrections, Crime Control and Public Safety Department, Justice Fellowship Task Force, Parole Commission, public, Victim Assistance Network; 1 appointee each: lieutenant governor, commission chair. | Revamp sentencing laws by recommending structured sentencing policies; develop comprehensive community corrections strategy; outline correctional costs; study restitution policies, evaluate sentencing laws and policies, and availability of sentencing options; develop corrections simulation model; gather/maintain statistical data; report on recidivism | Adopted 7/1/1993; effective 1/1/1995 | ■ | |
| Ohio Criminal Sentencing Commission | 1991 | 31 members: Chief Justice of Supreme Court, 1 appellate judge, 3 Municipal or County Court judges, 6 Court of Common Pleas judges (3 must be juvenile judges), superintendent of state highway patrol, state public defender, director of youth services, director of rehabilitation and corrections, sheriff; 1 county prosecutor; 1 municipal prosecutor, 1 juvenile prosecutor, 2 defense attorneys, 2 police chiefs, 1 crime victim, 1 state bar member, 1 county commissioner, 1 mayor, 2 senators; 2 representatives | Recommends/implements sentencing structure; study criminal statutes, sentencing patterns, and correctional study impact of sentencing structure; review and advise General Assembly in implementation/revision of laws | 7/1/1996 | ■ | |
| Oklahoma Sentencing Commission | 1997 | 10 members, staggered 5 year terms: 1 Supreme Court justice; 1 indigent defender; 2 state representatives (1 Rep & 1 Dem); 2 state senators (1 Rep & 1 Dem); 1 DA; AG; director of state finance; 1 defense attorney is gubernatorial appointee | Establish sentencing criteria; classify criminal offenses; promulgate matrices; long-range planning/recommendations; monitor and review criminal justice and corrections system; review proposed legislation; collect and maintain statistical data | 1998 | ■ | |

Table 46. Active Sentencing Commissions/Sentencing Guideline Systems

Legend: N/S=Not stated; ~=Not applicable

Note: Only those States with Sentencing commissions/Sentencing guidelines are included in this table.

| State/ Commission name | Sentencing commission characteristics | | | Sentencing guidelines | | |
|---|---------------------------------------|--|---|--------------------------|---|-----------|
| | Established | Membership | Responsibilities | Established | Mandatory | Voluntary |
| Oregon Criminal Justice Commission | 1985 | 7 voting members; 1 senator and 1 representative as nonvoting members: 4-year term. No more than 4 members from either political party or geographic region | Amends sentencing guidelines, develops and maintains state criminal justice policy | 11/1/1989 | ■ May deviate for compelling reasons | |
| Pennsylvania Commission on Sentencing | 1978 | 11 members: 2 members of house and 2 from the Senate, 4 judges of record chosen by the Chief Justice, a district attorney, a defense attorney, and a professor of law or criminologist chosen by the governor. 2-year terms | Adopts guidelines for sentencing, systematically monitors compliance with guidelines and mandatory sentencing laws. Also serves as a clearinghouse for sentencing practices and in a consulting capacity to courts and state agencies. Makes recommendations to general assembly on sentencing/corrections and studies effectiveness of sentencing | 1982 (Revised 1988) | ■ | |
| South Dakota Corrections Commission | | 9 members, including 3 appointed by the governor from industry, retail, and labor; 2 senators, 1 from each political party; 2 house members, 1 from each political party; 2 appointed by the Chief Justice of the Supreme Court; each member serves at the pleasure of the appointing authority | Assist Department of Corrections in examining criminal justice issues and developing initiatives to address problems in corrections and the criminal justice system; undertake a continuing study of criminal sanctions in South Dakota, which shall include a review of current felonies, felony sentences, and sentencing options | ~ | ~ | ~ |
| Utah Sentencing Commission | 1983 | 27 members: 2 members of house and Senate, representatives from corrections, Board of Pardons, legal defender, attorney general, sheriff's association, police, a rehabilitation professional, 2 victim's rights members, a citizen, 3 judges, one appellate, the director of youth corrections, chair of Youth Parole Authority, 2 juvenile judges, a juvenile prosecutor, and juvenile rehabilitation professional | Develop guidelines and propose recommendations to Legislature, Governor, and Judicial Council about sentencing and release policies for juveniles and adults; enhance discretion of judges while preserving role of Board of Pardons | 7/1/1985 Revised 1988 | ■ May deviate | |
| Virginia Criminal Sentencing Commission | 1994 | 17 members: 6 judges/justices, attorney general, 1 person appointed by Chief Justice as chairperson, 3 people appointed by the speaker of the house of delegates, 2 people appointed by the Senate Committee on Privileges and Elections, and 4 people appointed by the governor | Develop statewide guidelines; prepare worksheets to record reasons for departure; prepare guidelines for determining appropriate candidates for alternative sanctions; develop risk assessment instrument; forecasts, study felony statutes for judge and jury sentencing; report on work annually to the General Assembly, Governor, and Chief Justice | 1995 | | ■ |

Table 46. Active Sentencing Commissions/Sentencing Guideline Systems

Legend: N/S=Not stated; ~=Not applicable

Note: Only those States with Sentencing commissions/Sentencing guidelines are included in this table.

| State/ Commission name | Sentencing commission characteristics | | | Sentencing guidelines | | |
|---|---------------------------------------|---|--|-----------------------|--|-----------|
| | Established | Membership | Responsibilities | Established | Mandatory | Voluntary |
| Washington Sentencing Guidelines Commission | 1981 | 20 members include directors of corrections and financial management, chairman of Indeterminate Sentence Board, 2 prosecuting attorneys, 2 defense attorneys, 4 Superior Court judges, 4 lay persons, one chief law enforcement officer, 1 county elected government official, 1 city elected government official, 1 administrator of Juvenile Court Services | Evaluate state sentencing policy; recommend changes in sentencing ranges to state legislature; study criminal code and propose changes; serve as information center for sentencing practices; assume powers/duties of juvenile dispositions standards commission; evaluate disposition standards; solicit comments and make recommendations; report to governor and legislature on 1) racial disproportionality in sentencing; 2) facility capacity; and 3) recidivism rates | 1984 | ■ Must impose within range unless a substantial and compelling reason for departure is found. | |
| Wisconsin Sentencing Commission | 2002 | 21 members representing criminal justice agencies and groups from across the state | Provides sentencing data and information to courts, policymakers, practitioners, and the public; makes recommendations about sentencing policy to all three branches of state government | 2002 ³ | | ■ |

DEFINITION:

Commissions may be either a body that reviews actual individual sentences (review) or a policy-making body that develops and maintains guidelines for future use (advisory).

FOOTNOTES:

Alabama:

¹ The deadline to recommend is either 2006 or 2008 (a revision has passed in the House, but may not have reached the Senate). Some or all of the guidelines were recommended in 2004 and passed by the House in 2005, but may not have reached a vote in the Senate.

Louisiana:

² The advisory sentencing guidelines became voluntary in 1995.

Wisconsin:

³ Temporary advisory sentencing guidelines were enacted in 2002.

Table 47. Collateral Consequences of a Felony Conviction

Legend: ■=Yes

| | Voting rights restorable | Public employment | | Jury service duty | | Firearm ownership | | Sex offender registration | Offenses for which parental rights are terminated |
|--------------------------|--------------------------|--|---|-----------------------------------|--------------------------------------|------------------------|-------------------------------|---|---|
| | | Barred | Restorable | Forfeited | Restorable | Forfeited | Restorable | | |
| Alabama | ■ | ■ | | ■ For crime of moral turpitude | | ■ Concealed weapons | | ■ Also habitual offenders (3 or more felonies) | |
| Alaska | ■ | | ■ | ■ For crime of moral turpitude | | | ■ Concealed weapons | ■ | Sexual or child abuse |
| Arizona | ■ | ■ If public office, other public employment permitted | | | ■ | | ■ | ■ ¹ | |
| Arkansas | | ■ | | | ■ | | ■ | ■ | Abandonment, neglect, unfitness |
| California | ■ | ■ For specified crimes | | | ■ | ■ Concealed weapons | | ■ | |
| Colorado | ■ | | ■ | | ■ | | ■ After 10 yrs | ■ | |
| Connecticut ² | ■ | ■ If public office, until rights regained | | ■ For 7 yrs | | ■ Concealed weapons | | ■ | Abandonment or neglect |
| Delaware | ■ | ■ If for conviction of infamous crime | | | ■ | | ■ | ■ | Crime involved or harmed child |
| District of Columbia | ■ | | ■ | ■ | | ■ Concealed weapons | | ■ | |
| Florida | ■ | ■ If directly related to position of employment | | | ■ | ■ | | ■ | |
| Georgia | ■ | ■ If felony involved moral turpitude | | ■ | | | ■ | ■ | |
| Hawaii | ■ | ■ If public office | ■ With exceptions for specified crimes | ■ If not pardoned | | ■ | | ■ Certain sex crimes only | |
| Idaho ³ | ■ | | ■ | | ■ | | ■ Can petition after 5 yrs | ■ Certain sex crimes only | |
| Illinois | ■ | | ■ | | ■ Must be free of legal exception | | ■ | ■ Sex offenders and specified murderers | |

Table 47. Collateral Consequences of a Felony Conviction

Legend: ■=Yes

| | Voting rights restorable | Public employment | | Jury service duty | | Firearm ownership | | Sex offender registration | Offenses for which parental rights are terminated |
|---------------|--------------------------|---|---|---|------------|----------------------|---|---------------------------------|--|
| | | Barred | Restorable | Forfeited | Restorable | Forfeited | Restorable | | |
| Indiana | ■ | ■ | | | ■ | ■ | | | |
| Iowa | ■ | ■ | | | ■ | ■ | | | |
| Kansas | ■ | | ■ | ■ | | ■ | Forfeit for 5 yrs, 10 yrs, or life | ■ | |
| Kentucky | | | ■ Except if bribery | | ■ | ■ | | ■ | Abandonment, neglect, or abuse |
| Louisiana | ■ | ■ If convicted while in state employment | | ■ | | ■ | | ■ | |
| Maine | ■ | | ■ | | ■ | | ■ Can petition after 5 yrs for concealable | ■ | |
| Maryland | ■ | | ■ | ■ If fined over \$500 or sentenced to 6+ months; restored via pardon | | ■ | | ■ | |
| Massachusetts | ■ | | ■ Except for judicial branch employment | ■ For 7 yrs | | ■ | | ■ | |
| Michigan | ■ | ■ From Dept. of Corrections | | ■ While serving sentence | | | ■ After 3-5 yrs | ■ | |
| Minnesota | ■ | ■ Where crime relates to position | | | ■ | | ■ After 10 yrs | ■ | Abandonment, murder, manslaughter, or assault of another child of the parent |
| Mississippi | | | ■ | ■ If infamous crime | | ■ Unless pardoned | | ■ | |
| Missouri | ■ | | ■ Except felony connected w/ right of suffrage | ■ Unless restored to civil rights | | ■ | | ■ Also crimes against minors | |
| Montana | ■ | | ■ | ■ | | | ■ Lifetime supervision | ■ | If unfit and convicted of violent crime |
| Nebraska | ■ | | ■ | | ■ | ■ | | ■ | Abandonment, neglect, or abuse |

Table 47. Collateral Consequences of a Felony Conviction

Legend: ■=Yes

| | Voting rights restorable | Public employment | | Jury service duty | | Firearm ownership | | Sex offender registration | Offenses for which parental rights are terminated |
|-----------------------|----------------------------------|---------------------------------------|--------------------------------|-------------------|---|---------------------------------|---------------------------------------|---|--|
| | | Barred | Restorable | Forfeited | Restorable | Forfeited | Restorable | | |
| Nevada | ■ | ■ | | | ■ | | ■ | | |
| New Hampshire | ■ ⁴ | | ■ | | ■ | ■ | | ■ | |
| New Jersey | ■ | | ■ | ■ | | ■ | | ■ | Abandonment, neglect, or abuse |
| New Mexico | ■ | ■ From elected or appointed office | | | ■ | ■ | | ■ | Abandonment, neglect, or abuse |
| New York ⁵ | ■ | | ■ Except public officials | ■ | | ■ Rifles/shotguns | ■ After 5 yrs | ■ | Permanent neglect |
| North Carolina | ■ | | ■ Except police or sheriffs | | ■ Not "qualified" and subject to challenge for cause | ■ ⁶ | | ■ Also certain crimes against children | Abandonment, abuse, or neglect |
| North Dakota | ■ | | ■ | ■ | | | ■ After 10 yrs | ■ Also crimes against children | Abandonment or neglect |
| Ohio | ■ | ■ | | ■ | | ■ | | ■ | Abandonment |
| Oklahoma | ■ | | ■ Except public officials | | ■ | ■ | | ■ | Child abuse or death of a child |
| Oregon | ■ | | ■ | | ■ | ■ Unless conviction expunged | | ■ | Abuse, neglect, unfitness, extreme conduct, abandonment |
| Pennsylvania | ■ | | ■ Unless subversive person | ■ | | ■ | | ■ Also child kidnapping | Abandonment or neglect |
| Puerto Rico | | | ■ | ■ | | | ■ | | Misconduct |
| Rhode Island | ■ | ■ For 3 yrs | | | ■ | | ■ After 2 yrs if non violent crime | ■ Also crimes against children | Unfitness, abusive, or abandonment |
| South Carolina | ■ Elected or appointed office | ■ | | ■ | | ■ | | ■ | Abandonment, neglect, or abuse |
| South Dakota | ■ | | ■ | | ■ | ■ | | ■ | Murder, sex offense, crimes against children |
| Tennessee | | | ■ | | ■ | ■ | | ■ | Abandonment, neglect, or abuse; incarcerated 10+ yrs & child under 8 |

Table 47. Collateral Consequences of a Felony Conviction

Legend: ■=Yes

| | Voting rights restorable | Public employment | | Jury service duty | | Firearm ownership | | Sex offender registration | Offenses for which parental rights are terminated |
|----------------------|---|-------------------|--|-----------------------------------|------------|----------------------|------------------|---------------------------------|---|
| | | Barred | Restorable | Forfeited | Restorable | Forfeited | Restorable | | |
| Texas | ■ | | | ■ | | | ■ After 5 yrs | ■ | Murder, assault, sexual offenses causing death or serious injury to a child |
| Utah | ■ Not for treason, bribery, election fraud | | ■ May be removed from public office as part of sentence | ■ Unless conviction expunged | | | ■ | ■ | |
| Vermont | ■ | | ■ | ■ | | ■ | | ■ | Unfitness |
| Virginia | ■ | | ■ | ■ Unless pardoned | | ■ Unless pardoned | | ■ Also crimes against minors | Abandonment or neglect |
| Washington | | | ■ Except for public officials | | ■ | ■ | | ■ | |
| West Virginia | ■ | | ■ | ■ If perjury or infamous crime | | ■ | | ■ | |
| Wisconsin | ■ | | ■ | | ■ | ■ | | ■ | ⁷ |
| Wyoming | ■ | | ■ | | ■ | ■ | | ■ | Unfitness |

FOOTNOTES:

Arizona:

¹ Judges may require registration at time of sentencing.

Connecticut:

² Exception, civil rights are not impaired for failure to pay support (a felony).

Idaho:

³ Still has “civil death” statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

New Hampshire:

⁴ Except bribery, treason, or willful violation of election laws, which require restoration by Supreme Court.

New York:

⁵ Still has “civil death” statutes for felons sentenced to life imprisonment. However, these laws have been partially abrogated by holdings of appellate courts that denial of access to courts is a violation of equal protection.

North Carolina:

⁶ Five years from the last of these events: conviction of that felony; unconditional discharge from prison; or termination of suspended sentence, or parole. No possession of firearms less than 26 inches in length or weapons of mass destruction for 10 years after final discharge if convicted of a violent felony except that any firearm is okay to keep in the home or lawful place of business.

Wisconsin:

⁷ May terminate if parent has caused death/injury to a child/children resulting in a felony conviction or if parent intentionally/recklessly killed other parent.

Part VIII: Court Structure Charts

The court structure charts summarize in one-page diagrams the key features of each State's court organization. The format meets two objectives: (1) it is comprehensive, indicating all court systems in the state and their interrelationship, and (2) it describes the jurisdiction of the court systems, using a standard set of terminology and symbols. The court structure charts employ the common terminology developed by the National Center for State Courts' Court Statistics Project (CSP) for reporting caseload statistics.

The first chart is a prototype. It represents a state court organization in which there is one of each of the four court system levels recognized by the Court Statistics Project: courts of last resort, intermediate appellate courts, general jurisdiction trial courts, and limited jurisdiction trial courts. Routes of appeal from one court to another are indicated by lines, with an arrow showing which court receives the appeal or petition.

The charts also provide basic descriptive information, such as the number of authorized justices, judges, and magistrates (or other judicial officers). Each court system's subject matter jurisdiction is indicated using the Court Statistics Project case types. Information is also provided on the use of districts, circuits, or divisions in organizing the courts within the system and the number of courts.

CSP Case Types

The *State Court Guide to Statistical Reporting* organizes cases into a three-level hierarchy. The first, and broadest, level is the case *category*, which consists of civil, domestic relations, criminal, juvenile, and traffic/other violations cases. The second level, the case *sub-category*, refers to classes of cases within the case category. For example, tort cases are a sub-category of civil cases and felony cases are a sub-category of criminal cases. The third level of the organizational hierarchy is the *case type*. The case type is the most precise descriptor of the case in question. Case types can further refine the cases within a sub-category (e.g., DWI/DUI is a case type within the sub-categories of both felony and misdemeanor cases) or they can describe a case within a case category (e.g., adoption is a case type within the domestic relations case category).

For the purposes of both simplicity and consistency with previous volumes of this publication, the court structure charts use the term "case type" to refer to each court system's subject matter jurisdiction, even if the

jurisdiction listed is actually a case category or a case sub-category. In most instances, the case category is listed when the court in question has jurisdiction over all of the case types within the category. In turn, the case sub-category is listed when the court has jurisdiction over all of the case types within the case sub-category. Case types are listed individually when (1) the case type does not fall under a case sub-category, (2) the court has jurisdiction only over that specific case type, or (3) specific attention is being drawn to the case type (such as DWI/DUI and domestic violence jurisdiction).

Appellate Courts

The rectangle representing each appellate court contains information on the number of authorized justices; the number of geographic divisions, if any; whether court decisions are made en banc, in panels, or both; and the Court Statistics Project case types that are heard by the court. The case types are shown separately for mandatory and discretionary cases. The case types themselves are defined in other Court Statistics Project publications, specifically the *State Court Guide to Statistical Reporting*.

An appellate court can have both mandatory and discretionary jurisdiction over the same Court Statistics Project case type. This arises, in part, because the Court Statistics Project case types are defined broadly to be applicable to every State's courts. There are, for example, only two appellate Court Statistics Project case types for criminal appeals: capital and noncapital. A court may have mandatory jurisdiction over felony cases, but discretionary jurisdiction over misdemeanors. The list of case types would include "criminal" for both mandatory and discretionary jurisdiction. The duplication of a case type under both headings can also occur if appeals from one lower court for that case type are mandatory while appeals from another lower court are discretionary. Also, statutory provisions or court rules in some states automatically convert a mandatory appeal into a discretionary petition—for example, when an appeal is not filed within a specified time limit. A more comprehensive description of each appellate court's subject matter jurisdiction can be found in *Appellate Court Procedures, 1998*.

Trial Courts

The rectangle representing each trial court also lists the applicable Court Statistics Project case types. These include civil, domestic relations, criminal, traffic/other violation, and juvenile. If a case type is

simply listed, the court system shares jurisdiction over it with other courts. The presence of exclusive jurisdiction is always explicitly stated.

The absence of a case type from a list means that the court does not have that subject matter jurisdiction. The dollar amount jurisdiction is shown when there is an upper or a lower limit to the cases that can be filed in a court. A dollar limit is not listed if a court does not have a minimum or maximum dollar amount jurisdiction for general civil cases. In criminal cases, jurisdiction is distinguished between “felony,” which means the court can try a felony case to verdict and sentencing, and “preliminary hearings,” which applies to those limited jurisdiction courts that can conduct preliminary hearings that bind a defendant over for trial in a higher court.

Trial courts can have what is termed incidental appellate jurisdiction. The presence of such jurisdiction over the decisions of other courts is noted in the list of case types as either “civil appeals,” “criminal appeals,” or “administrative agency appeals.” A trial court that hears appeals directly from an administrative agency has an “A” in the upper-right corner of the rectangle.

For each trial court, the chart states the authorized number of judges and whether the court can impanel a jury. The rectangle representing the court also indicates the number of districts, divisions, or circuits into which the court system is divided. These subdivisions are stated using the court system’s own terminology. The descriptions, therefore, are not standardized across states or court systems.

Some trial courts are totally funded from local sources; others receive some form of State funds. Locally funded court systems are drawn with broken lines. A solid line indicates that some or all of the funding is derived from State funds.

Symbols and Abbreviations

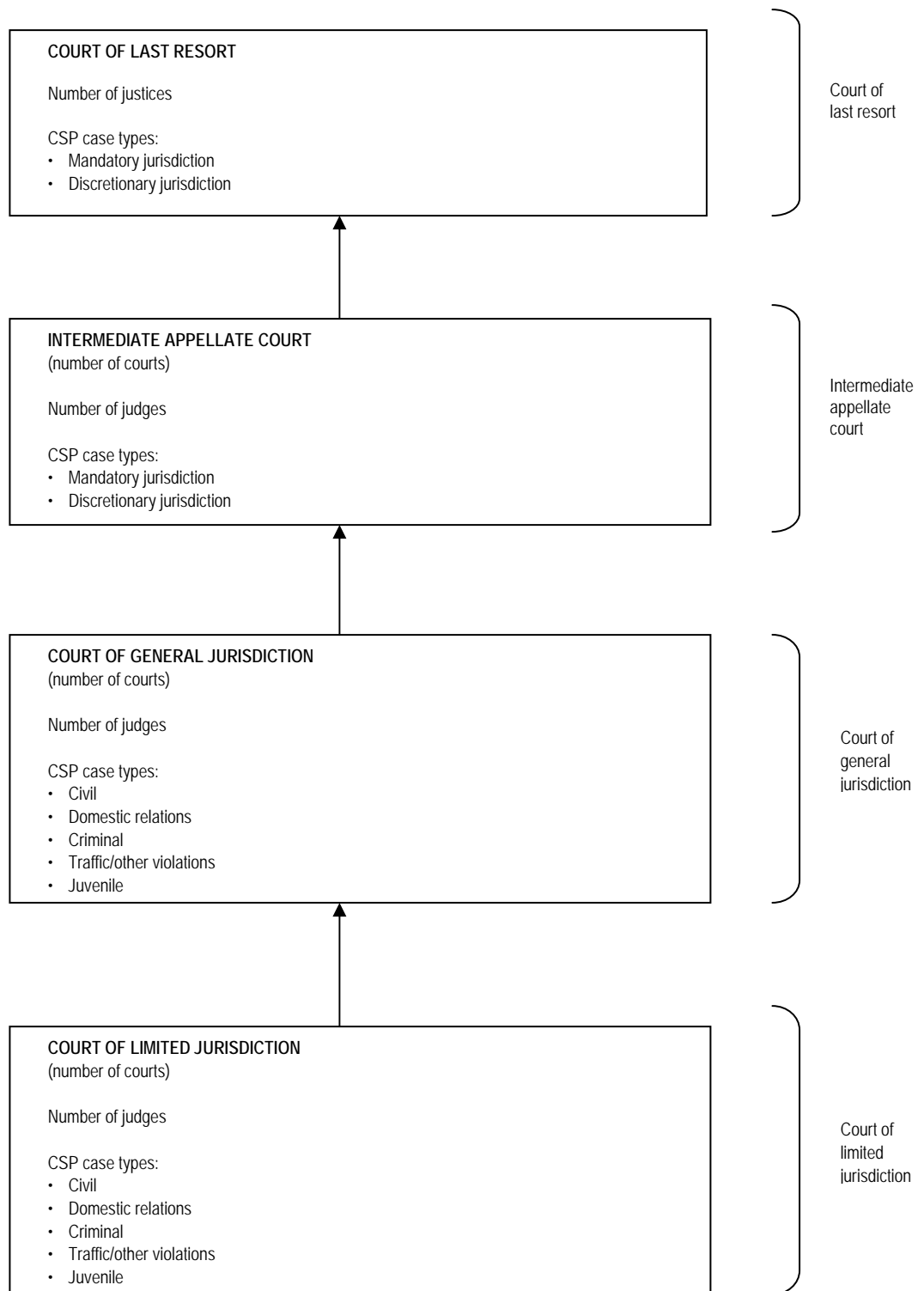
An “A” in the upper-right corner of a rectangle, representing either an appellate court or a trial court, indicates that the court receives appeals directly from the decision of an administrative agency. If “administrative agency appeals” is listed as a case type, the court hears appeals from decisions of another court on an administrative agency’s actions. It is possible for a court to have both an “A” designation and to have “administrative agency appeals” listed as a case type. Such a court hears appeals directly from an administrative agency (“A”) and has appellate jurisdiction over the decision of a lower court that has already reviewed the decision of the administrative agency.

The number of justices or judges is sometimes stated as “FTE.” This represents “full-time equivalent” authorized judicial positions. “DWI/DUI” stands for “driving while intoxicated/driving under the influence.” The dollar amount jurisdiction for civil cases is indicated in parentheses with a dollar sign. Where the small claims dollar amount jurisdiction is different, it is noted.

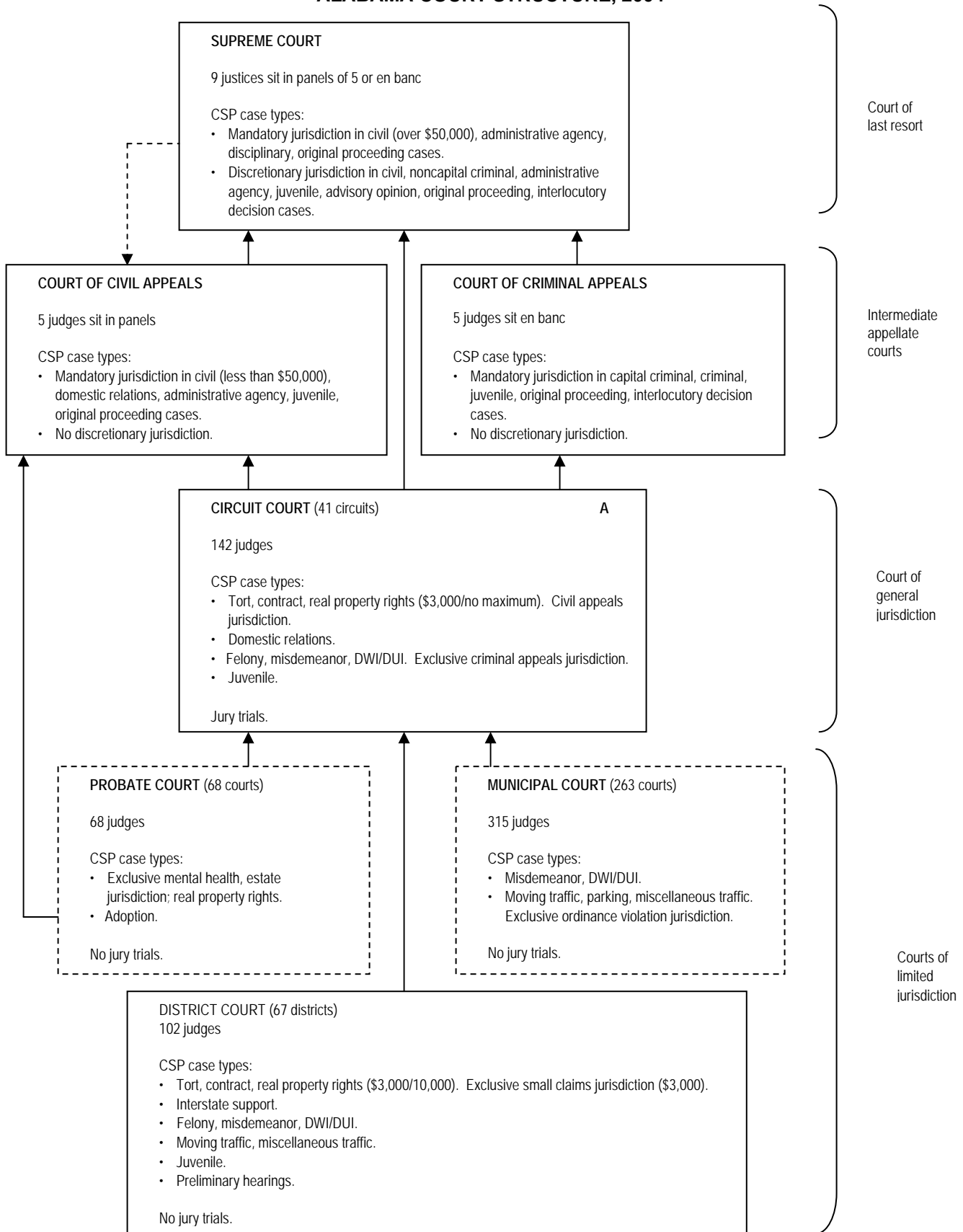
The court structure charts are convenient summaries. They do not substitute for the detailed descriptive material contained in the 47 tables of *State Court Organization 2004*. Moreover, they are based on the Court Statistics Project’s terminology and categories. This means that a state may have established courts that are not included in these charts. Some states have courts of special jurisdiction to receive complaints on matters that are more typically directed to administrative boards and agencies. Since these courts adjudicate matters that do not fall within the Court Statistics Project case types, they are not included in the charts. The existence of such courts, however, is recognized in a footnote to the state’s court structure chart.

Finally, the Court Statistics Project updates court structure charts in its annual *State Court Caseload Statistics* series. For current court structure information, access http://www.ncsconline.org/D_Research/csp/CSP_Main_Page.html.

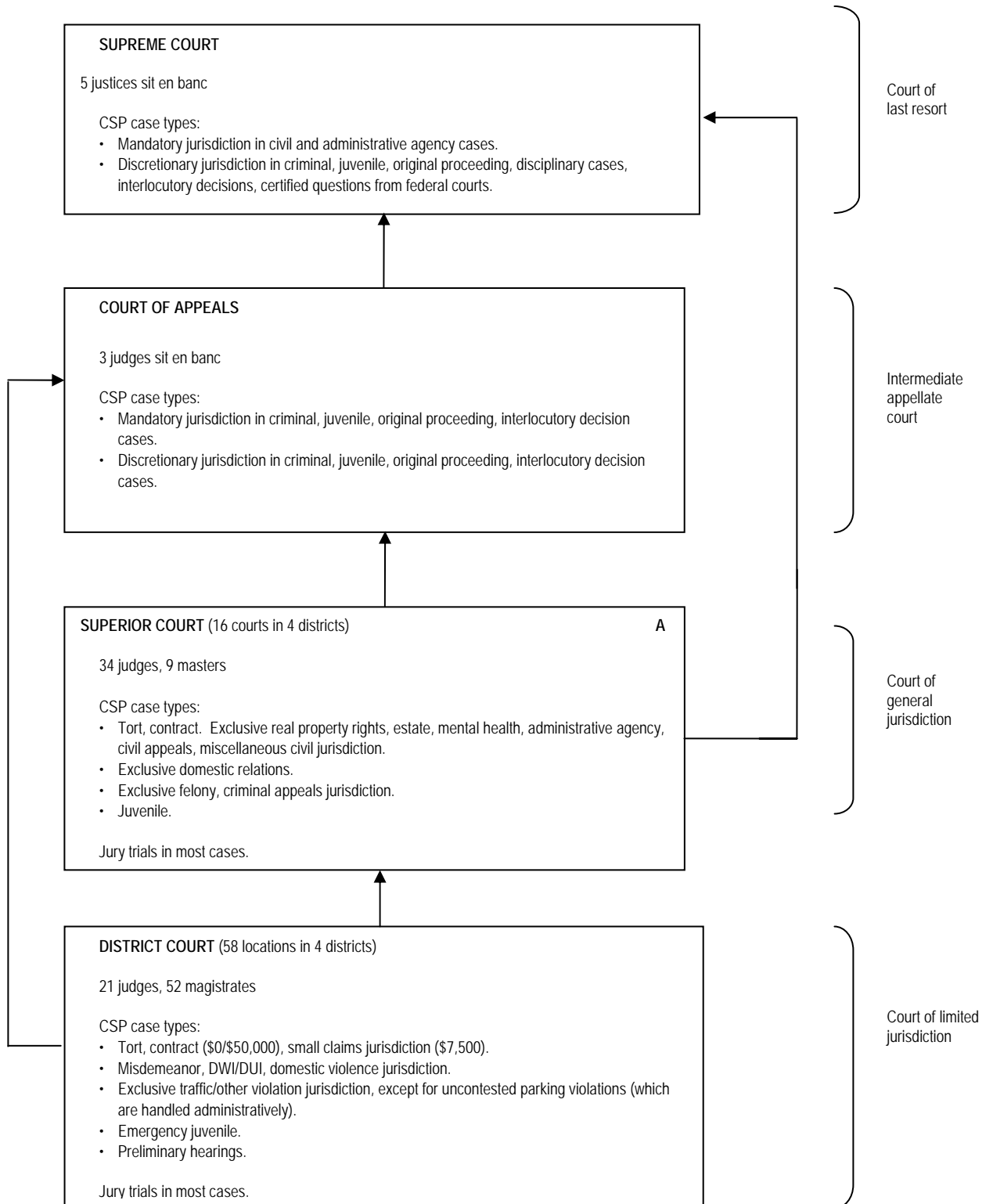
STATE COURT STRUCTURE PROTOTYPE, 2004



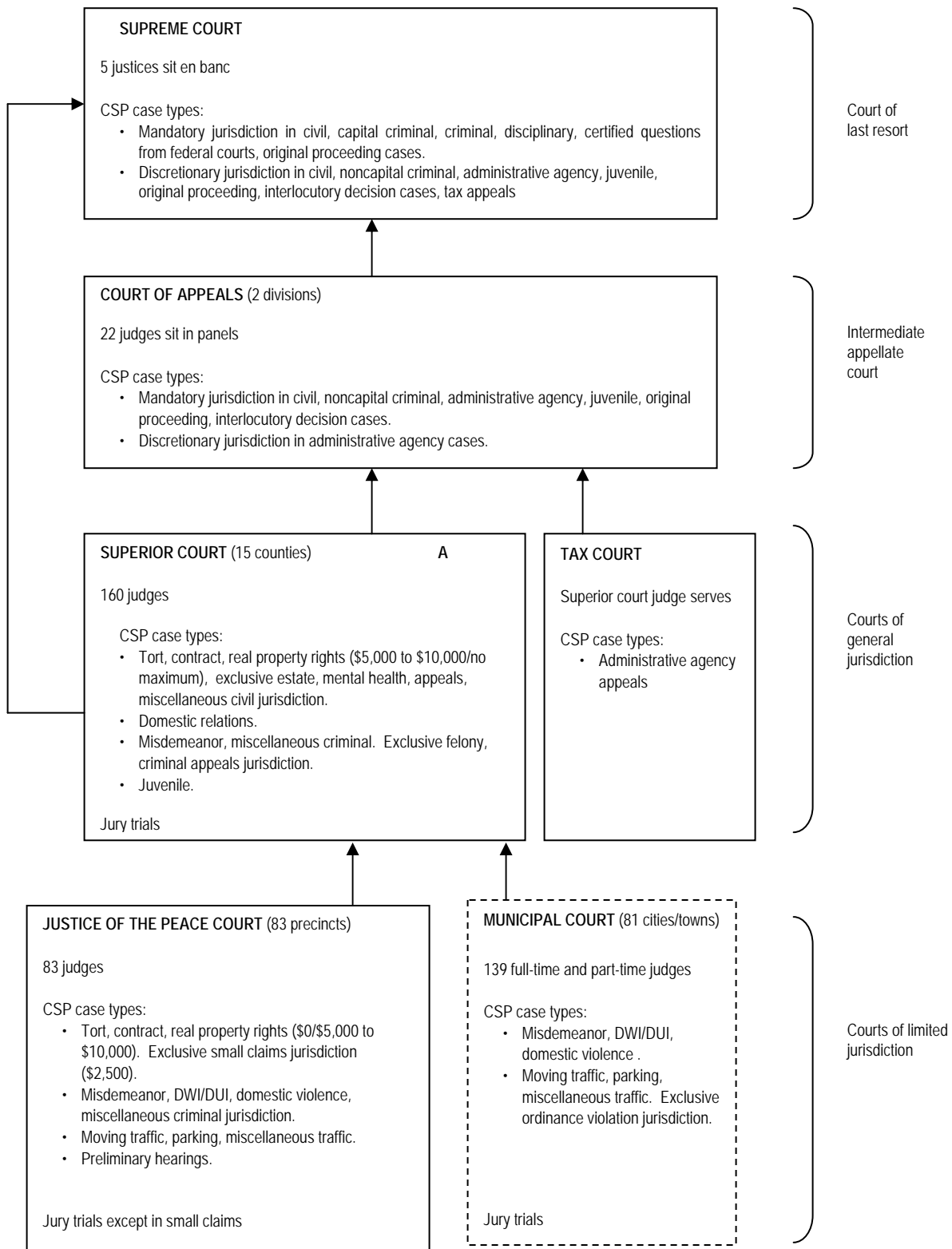
ALABAMA COURT STRUCTURE, 2004



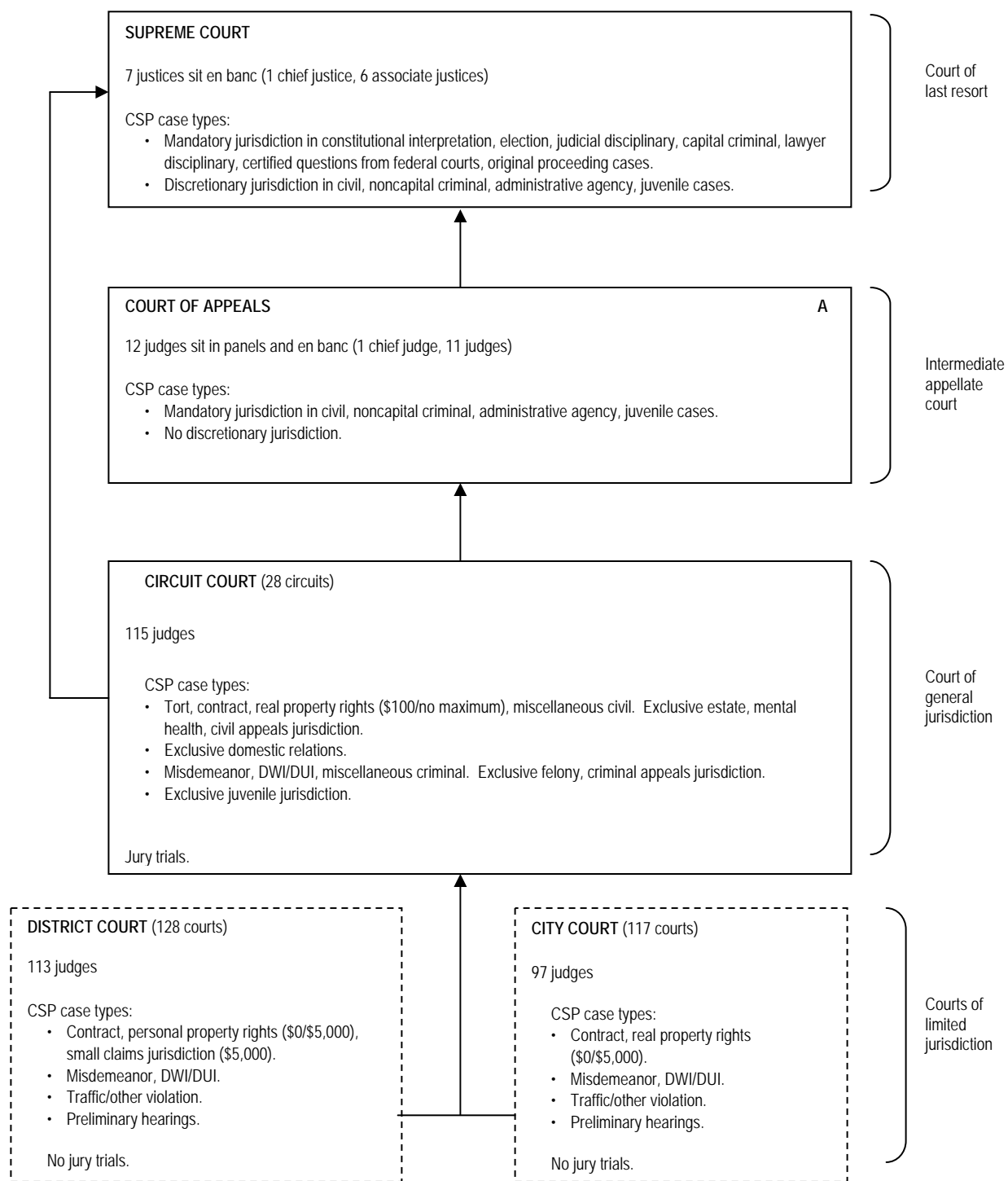
ALASKA COURT STRUCTURE, 2004



ARIZONA COURT STRUCTURE, 2004

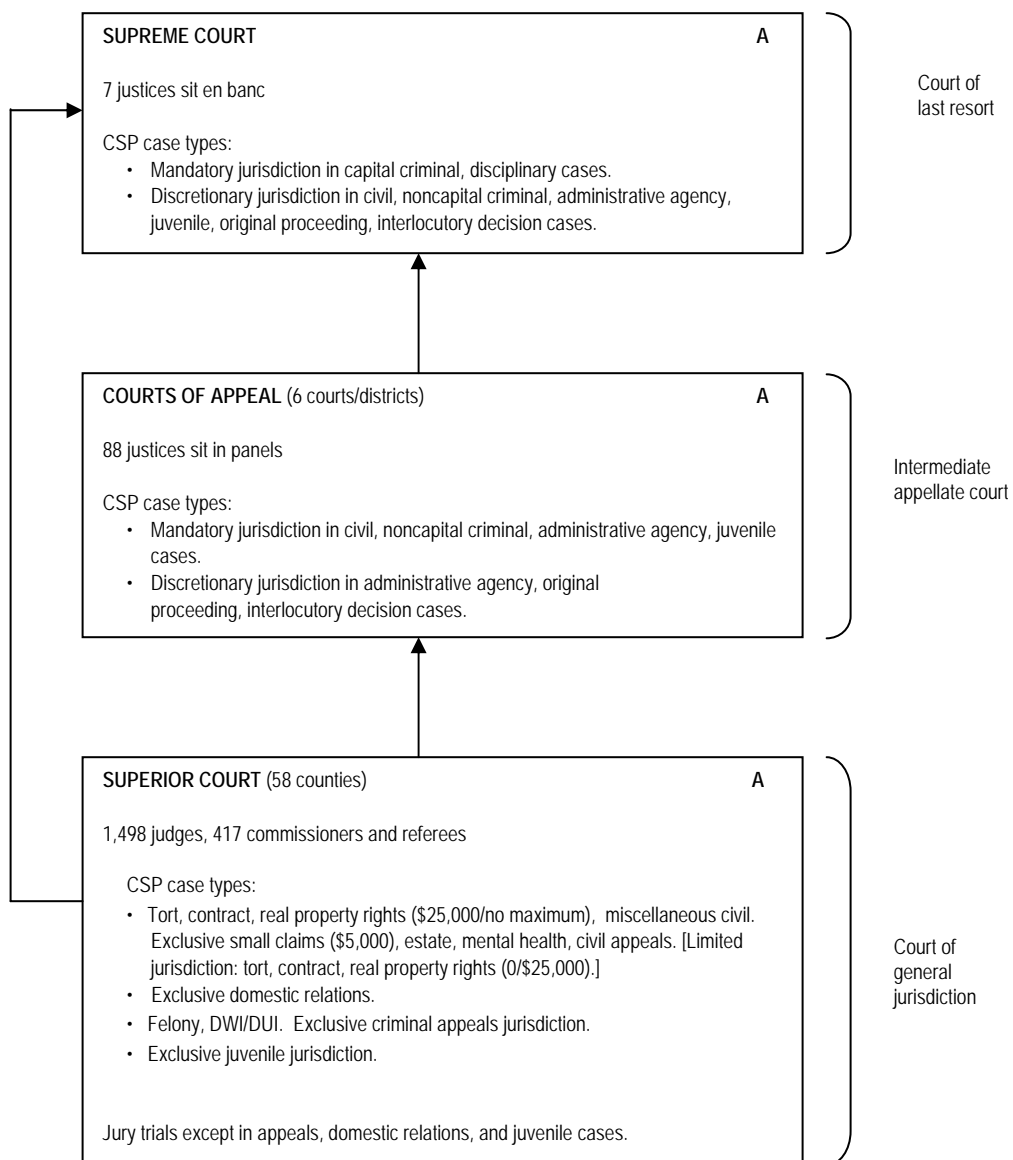


ARKANSAS COURT STRUCTURE, 2004

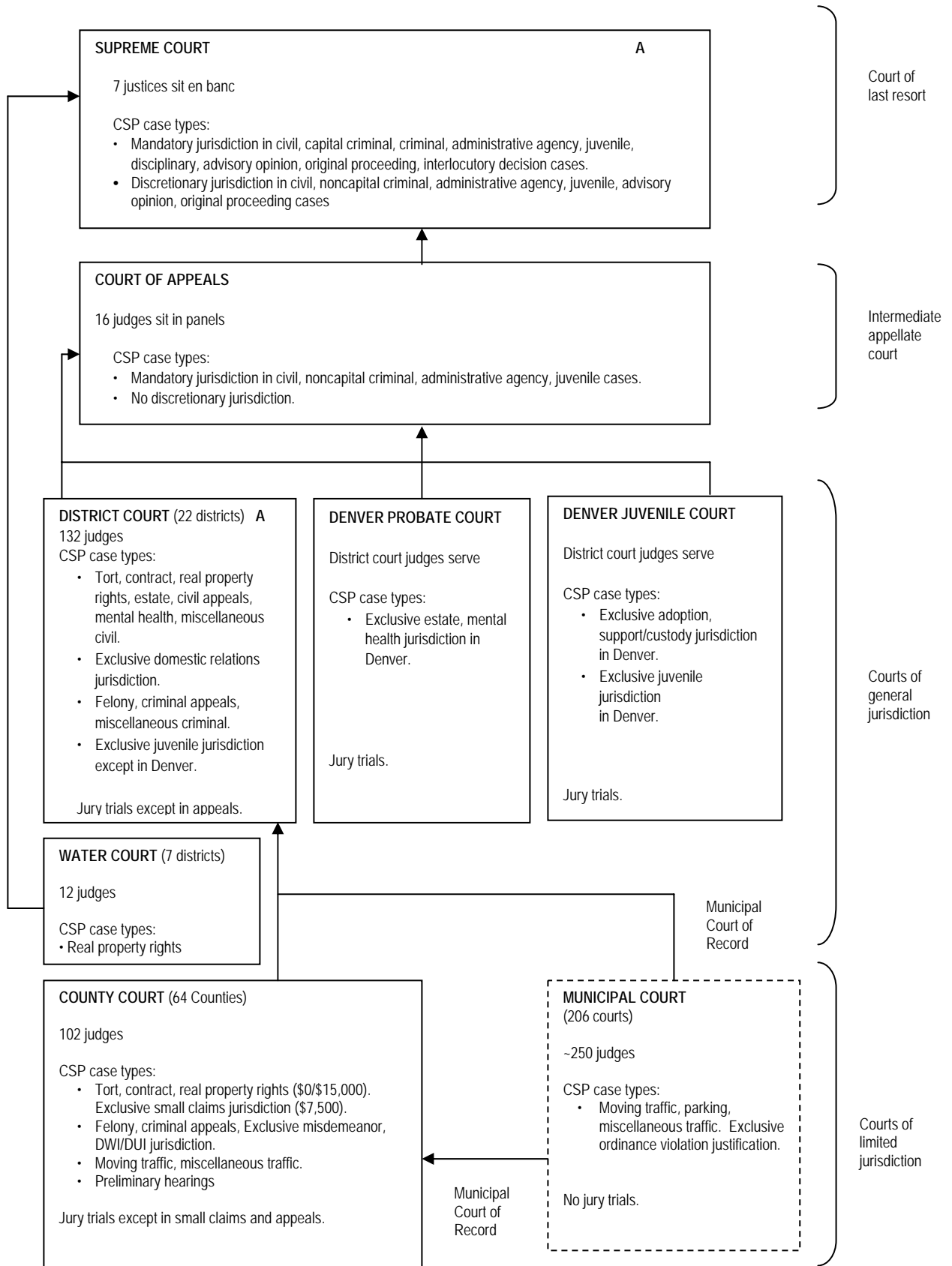


Note: In 2001, Arkansas combined the Chancery and Probate Court with the Circuit Court and reduced the number of limited jurisdiction courts from six to two by combining the County, Police, Common Pleas, and Justice of the Peace Courts into the Municipal Court which was renamed and is now the District Court.

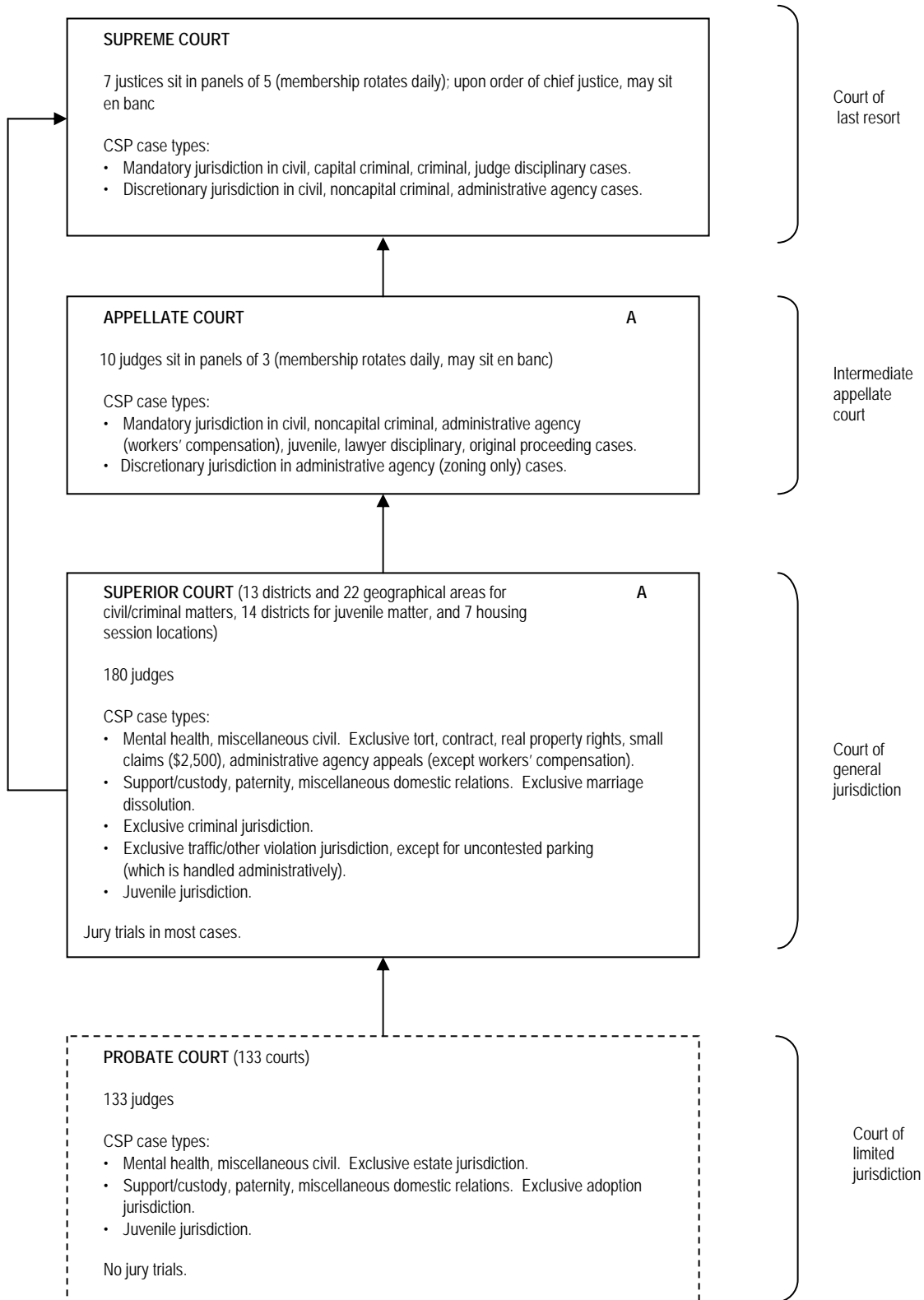
CALIFORNIA COURT STRUCTURE, 2004



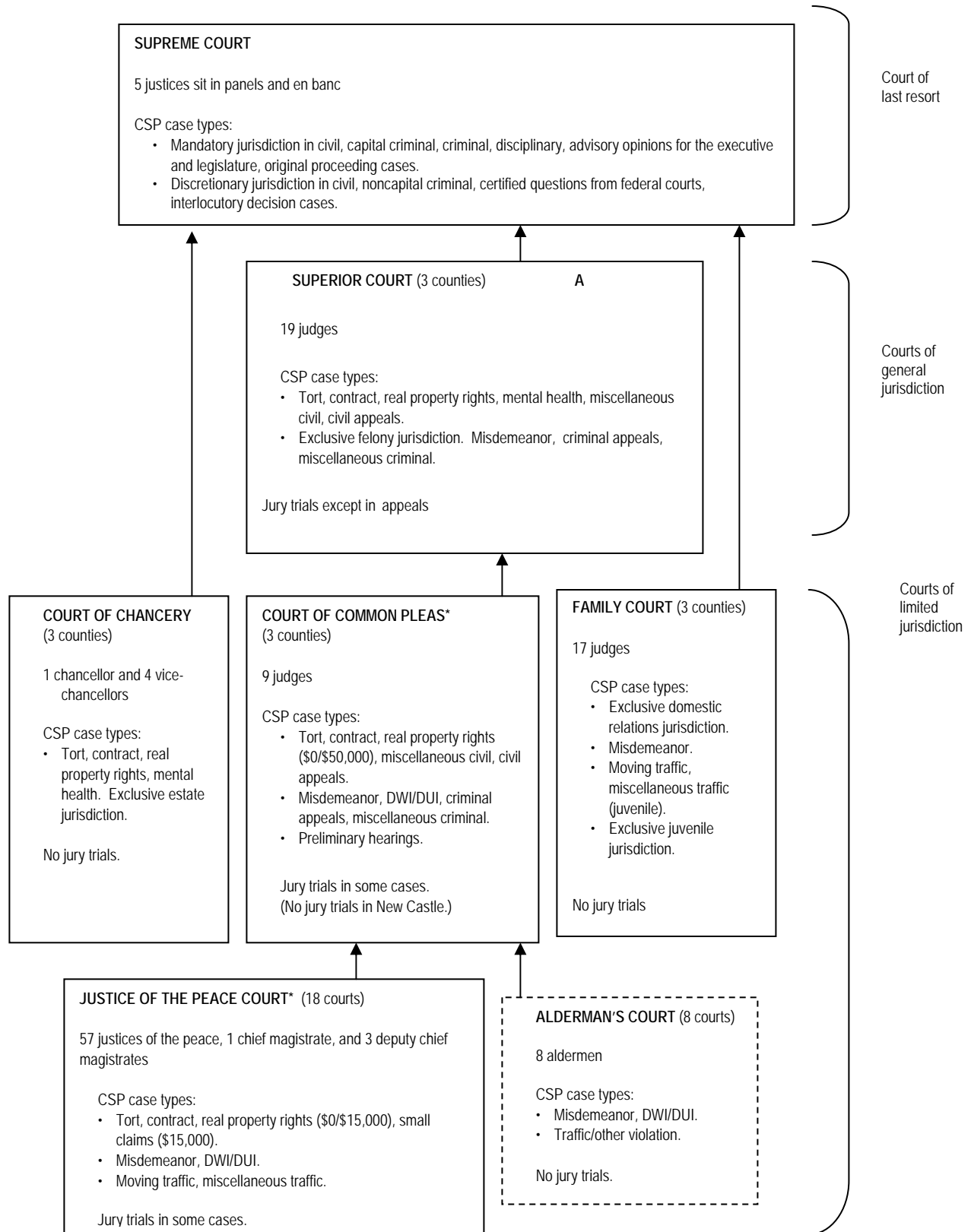
COLORADO COURT STRUCTURE, 2004



CONNECTICUT COURT STRUCTURE, 2004

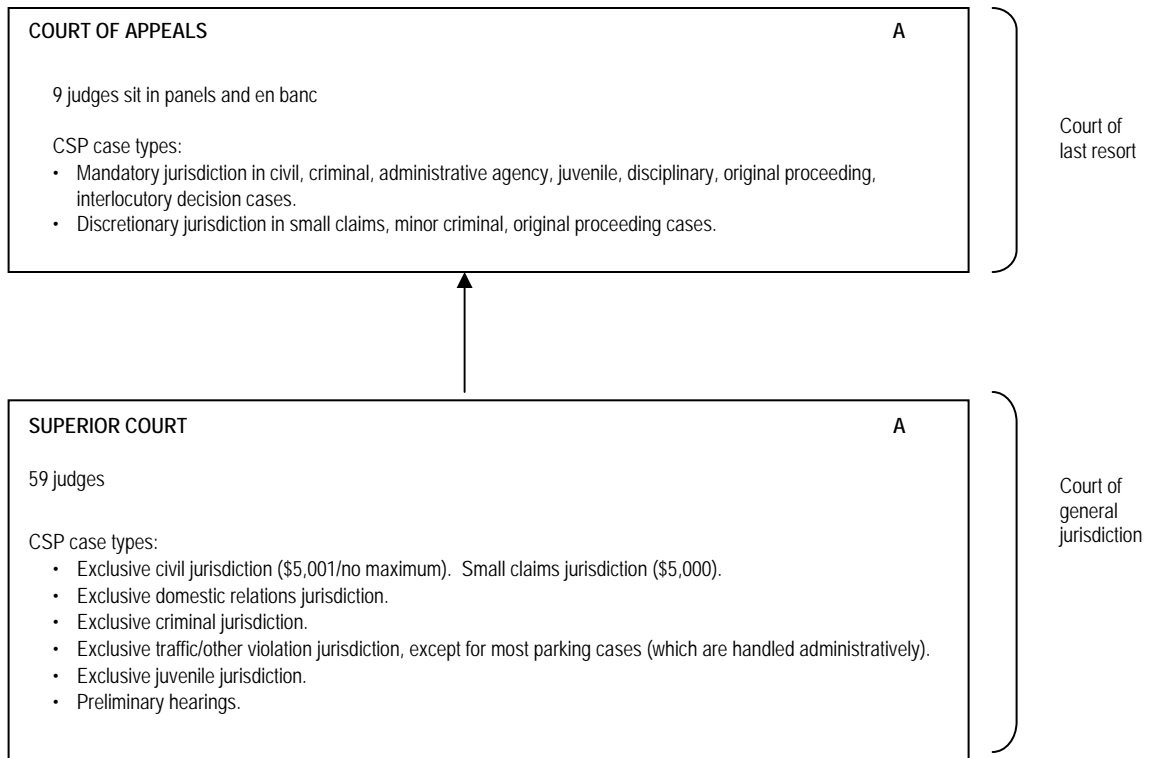


DELAWARE COURT STRUCTURE, 2004

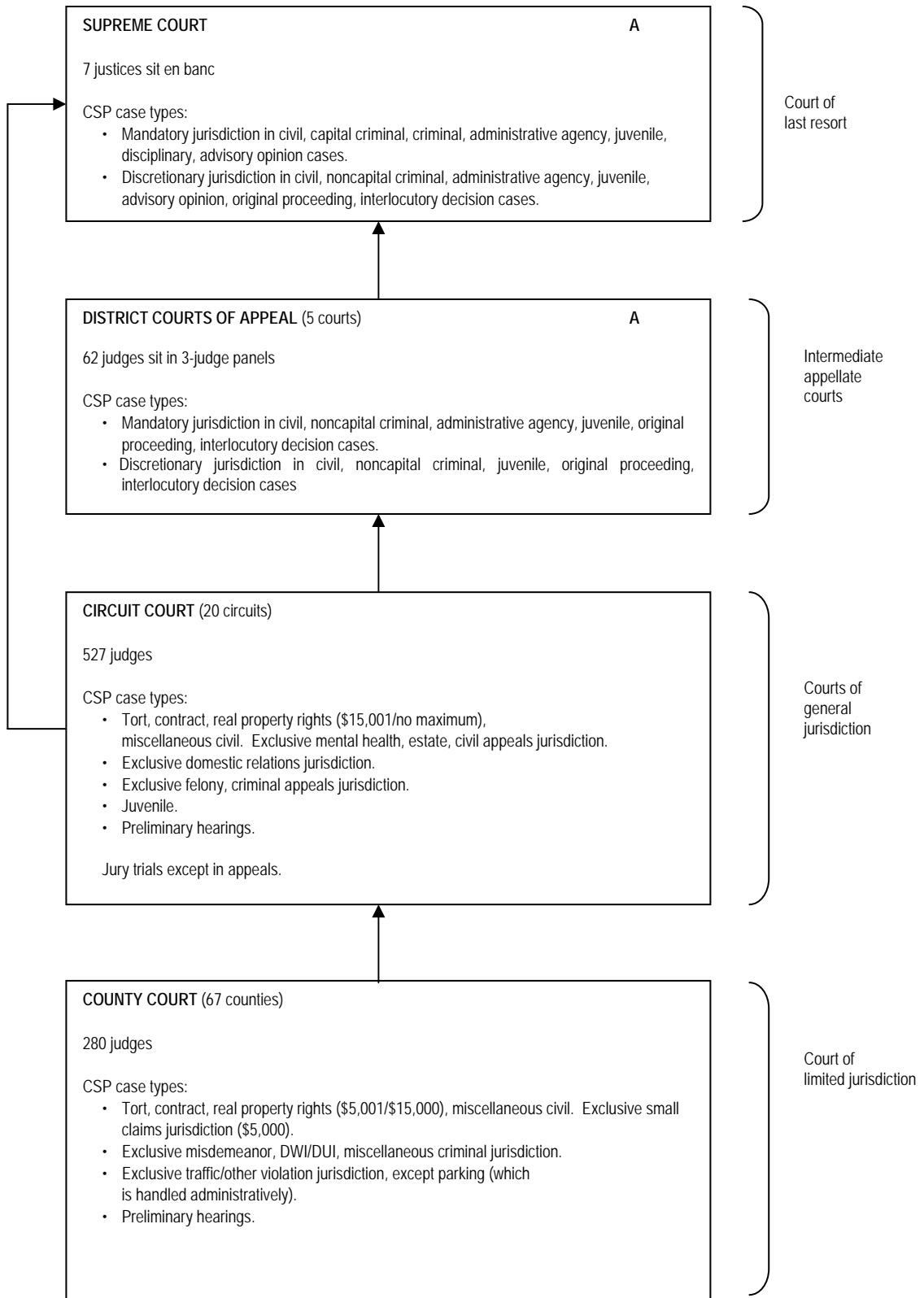


* The Municipal Court of Wilmington was eliminated effective May 1, 1998, and a new Justice of the Peace Court was created in Wilmington.

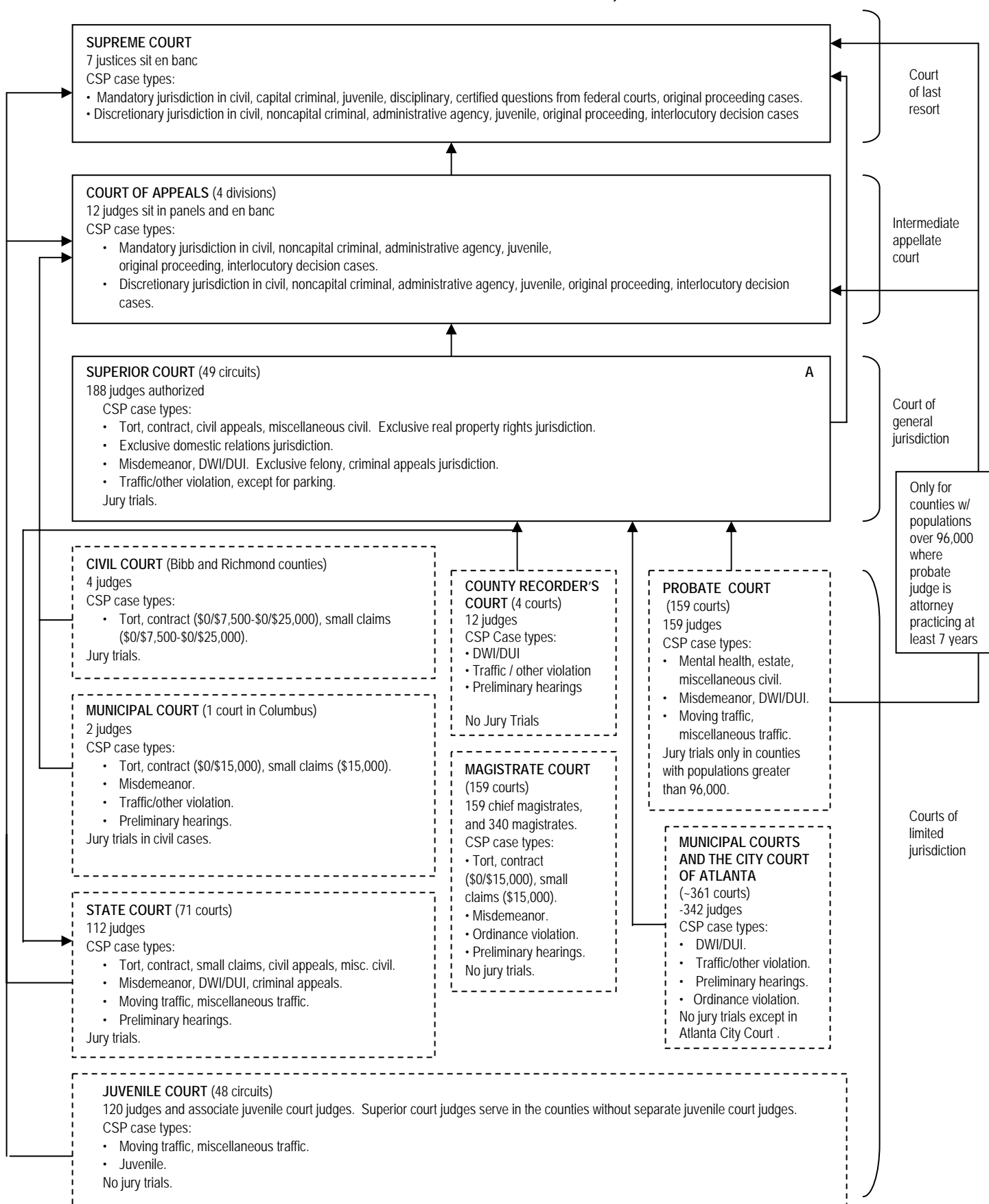
DISTRICT OF COLUMBIA COURT STRUCTURE, 2004



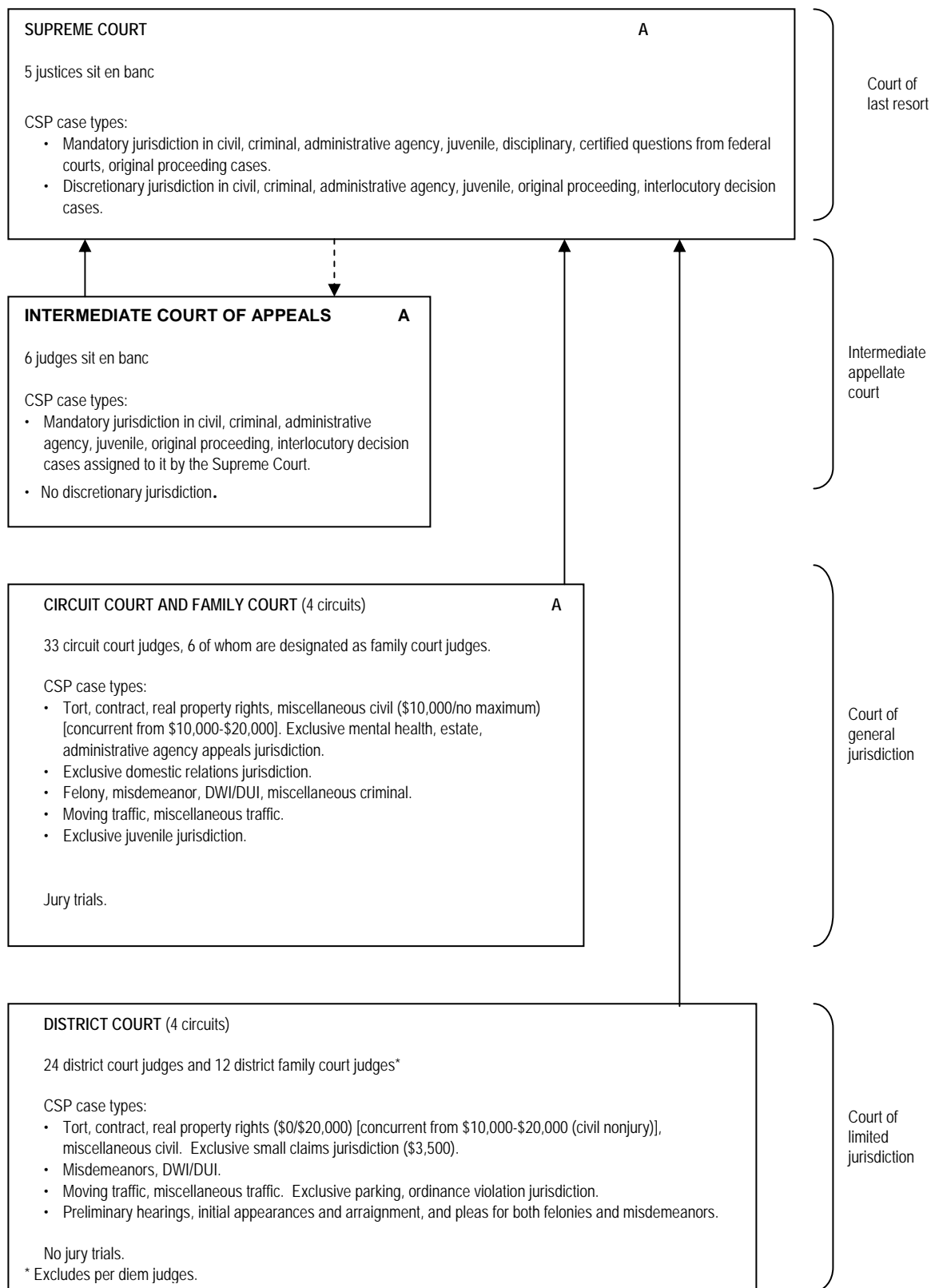
FLORIDA COURT STRUCTURE, 2004



GEORGIA COURT STRUCTURE, 2004

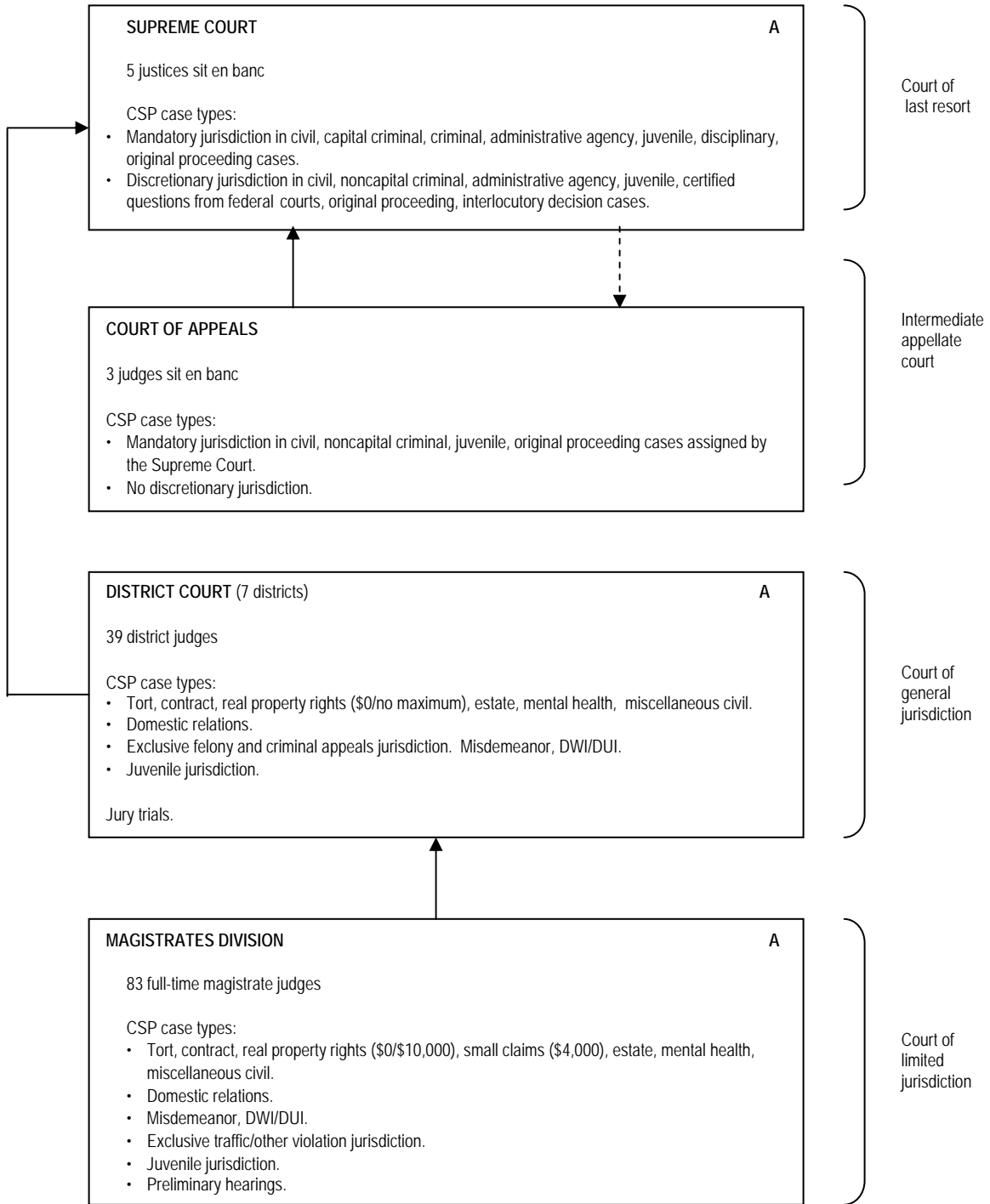


HAWAII COURT STRUCTURE, 2004



----- Indicates assignment of cases.

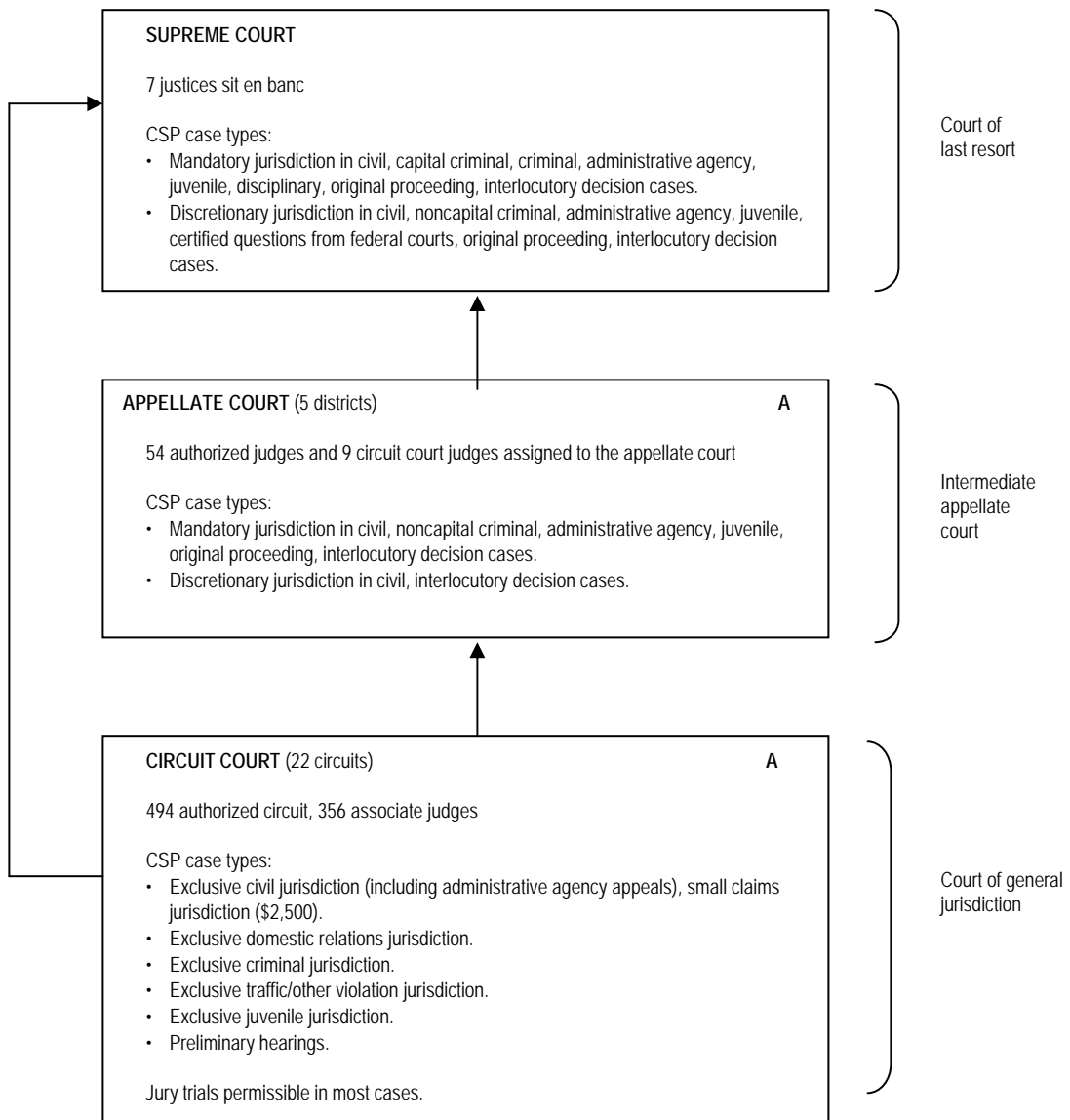
IDAHO COURT STRUCTURE, 2004



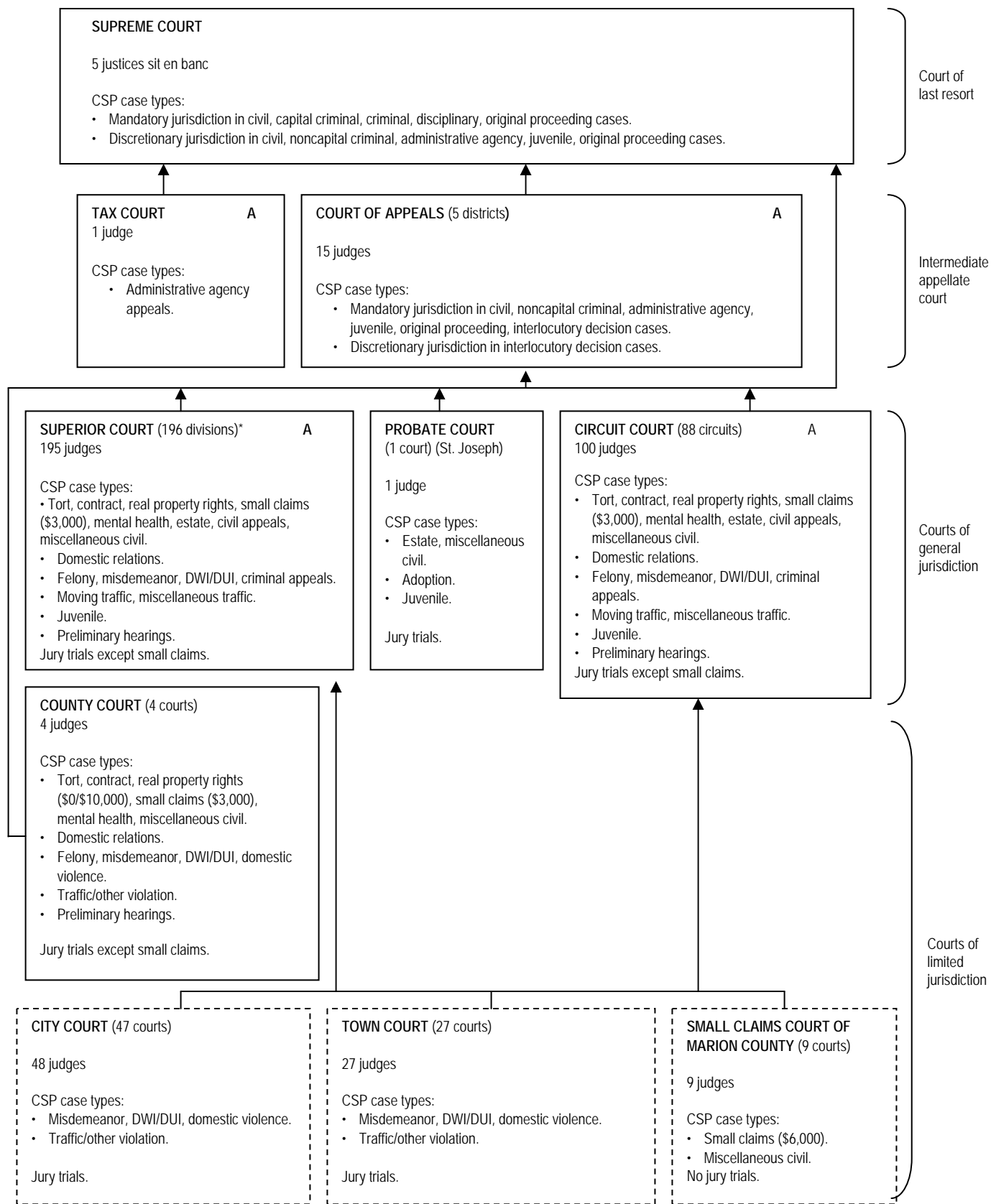
----- Indicates assignment of cases.

Note: The Magistrates Division of the District Court functions as a limited jurisdiction court.

ILLINOIS COURT STRUCTURE, 2004

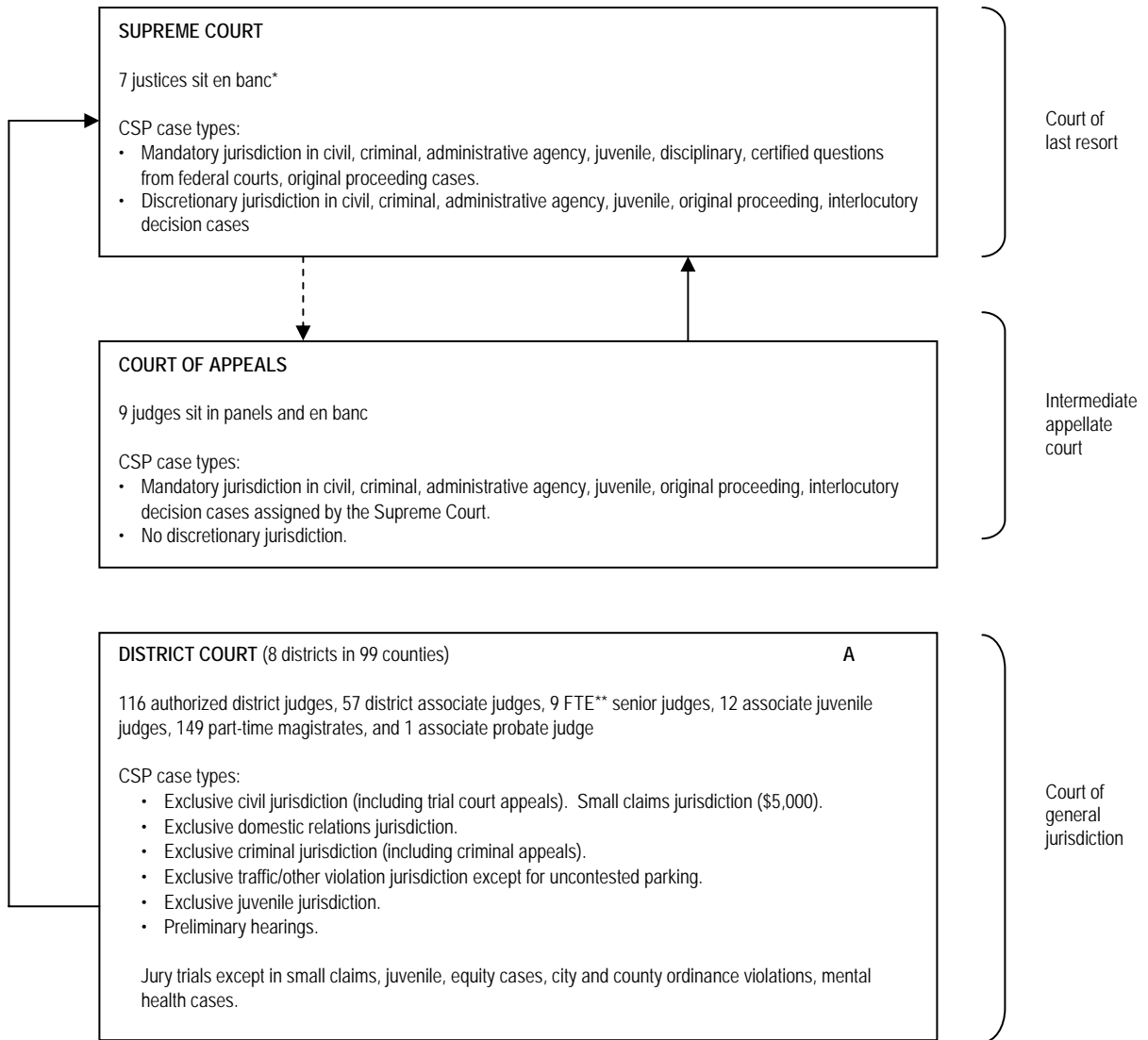


INDIANA COURT STRUCTURE, 2004



*Effective January 1, 1996, all Municipal Courts became Superior Courts.

IOWA COURT STRUCTURE, 2004

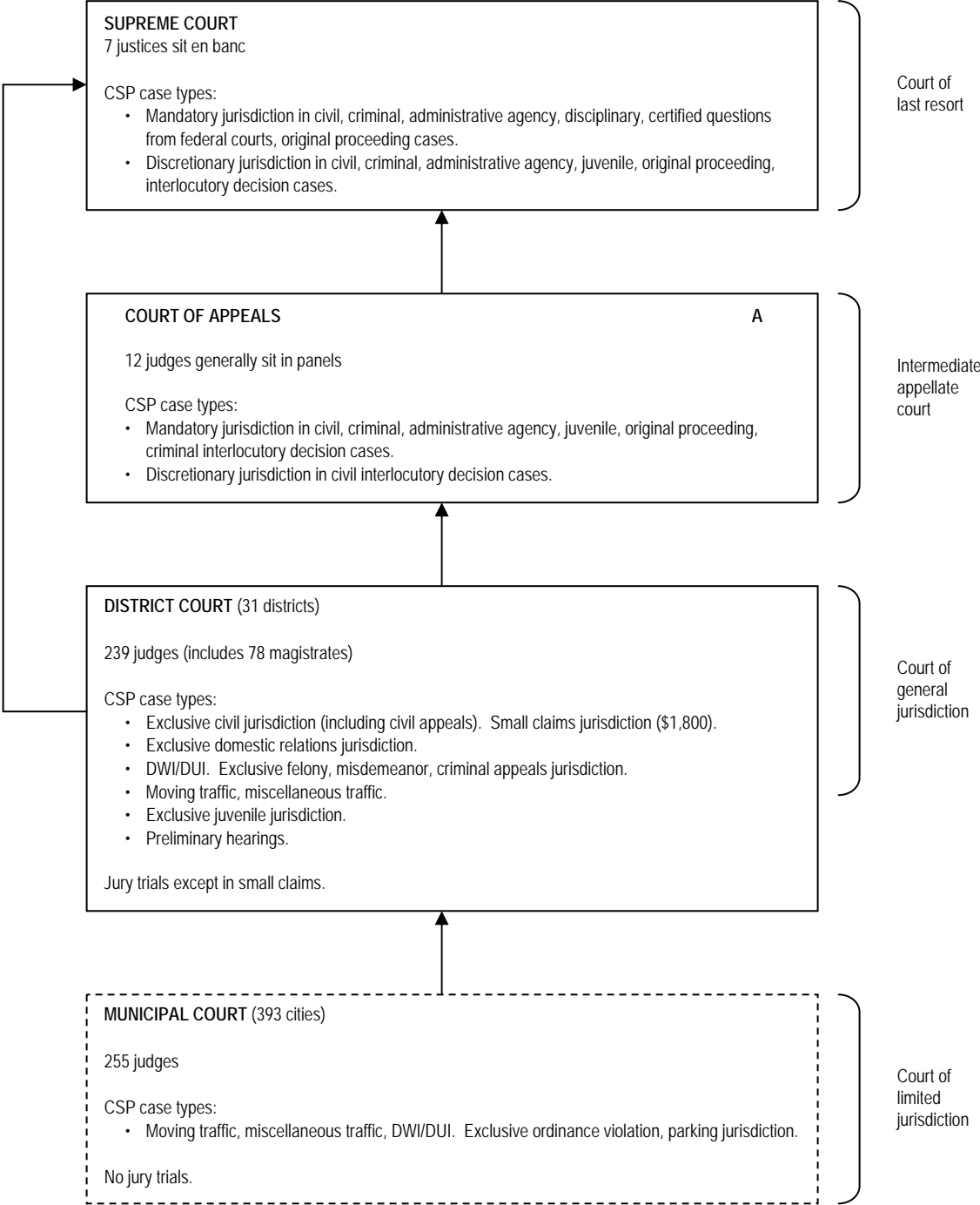


* As of January 2000, the court no longer sits in panels; it decides en banc.

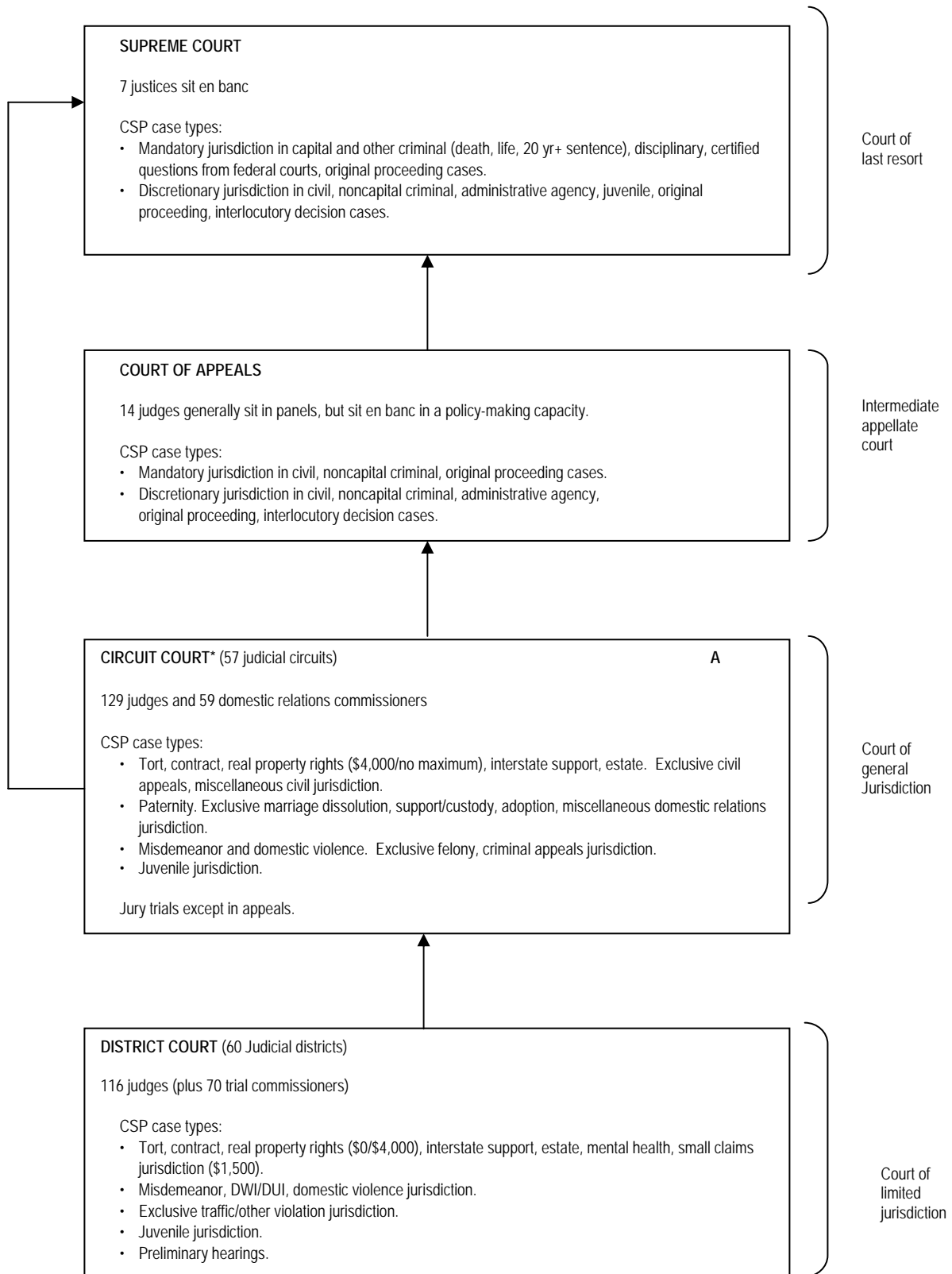
** Includes 37 senior judges who work 1/4 time (13 weeks/year).

----- Indicates assignment of cases

KANSAS COURT STRUCTURE, 2004

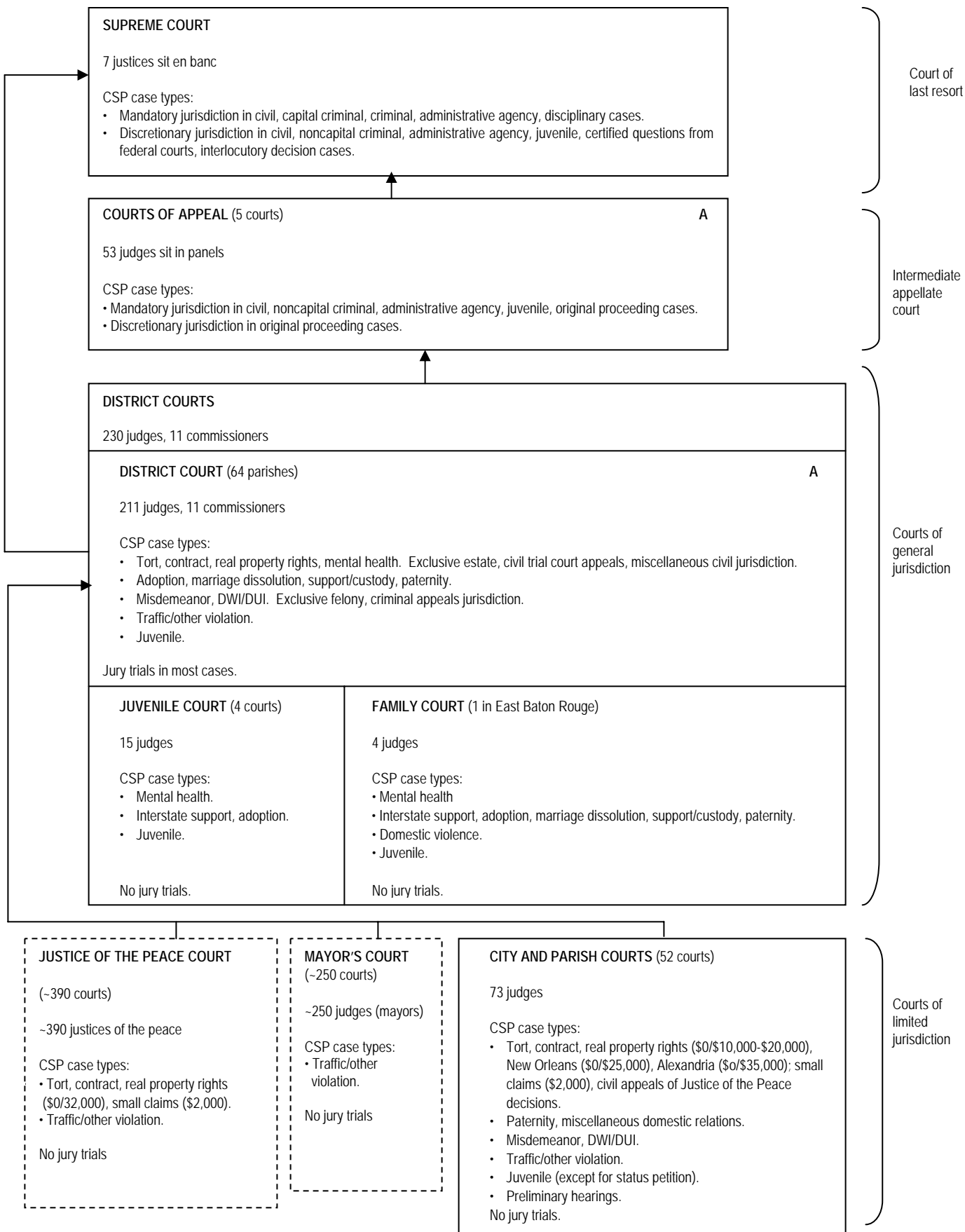


KENTUCKY COURT STRUCTURE, 2004

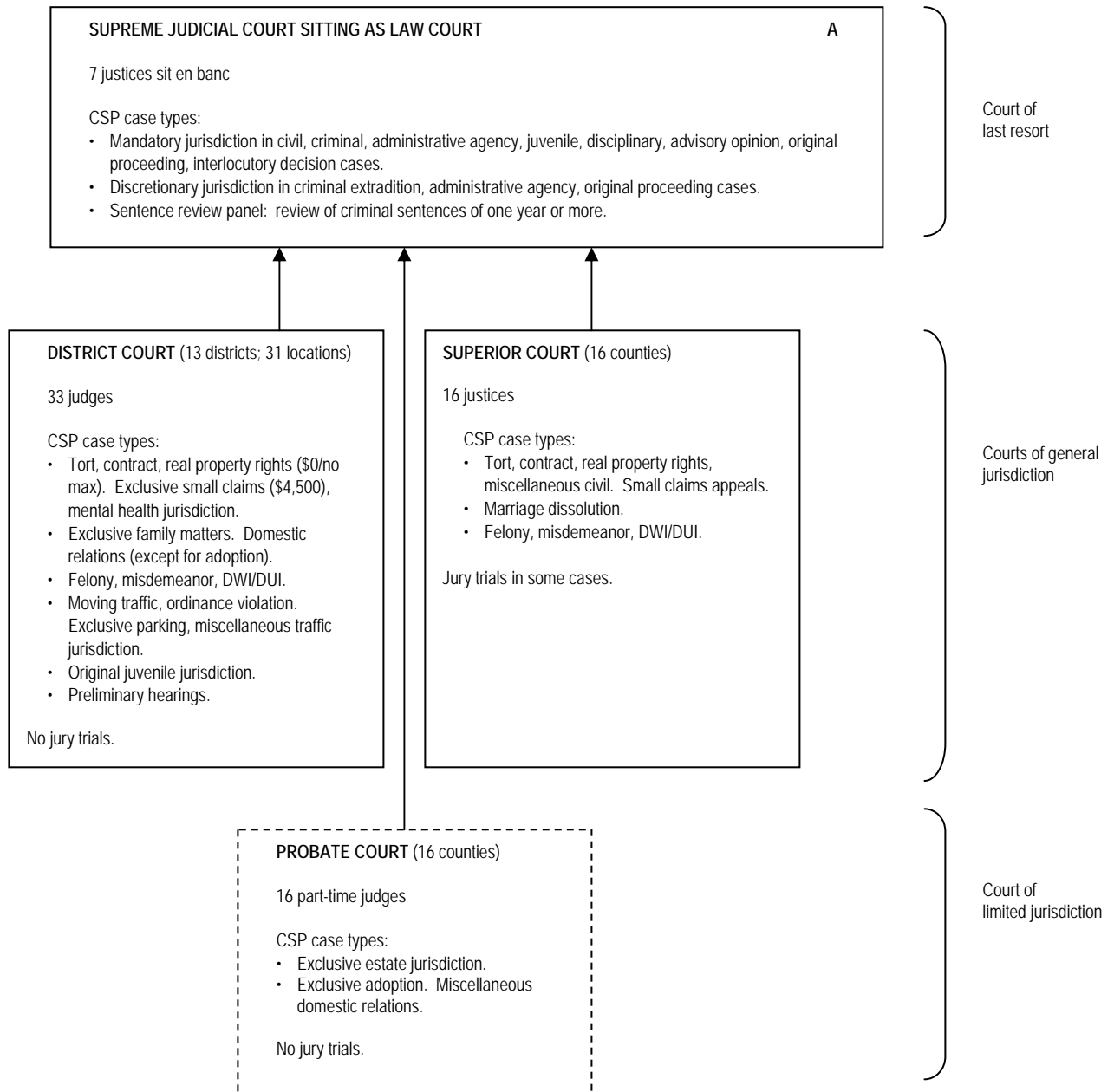


*The Family Court was created in November 2002 as a division of the Circuit Court. The Family Court has 33 judges and is located in 42 counties.

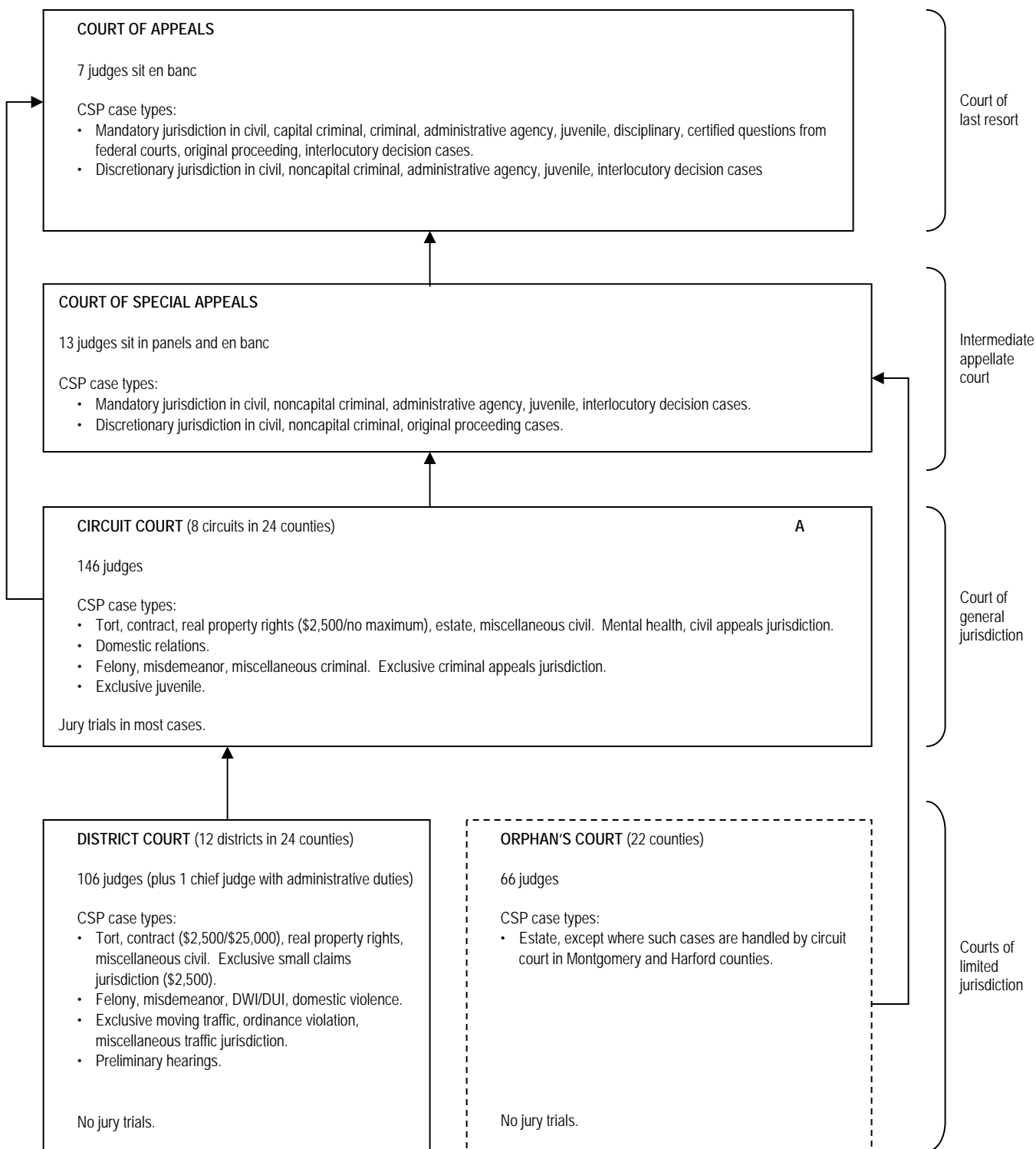
LOUISIANA COURT STRUCTURE, 2004



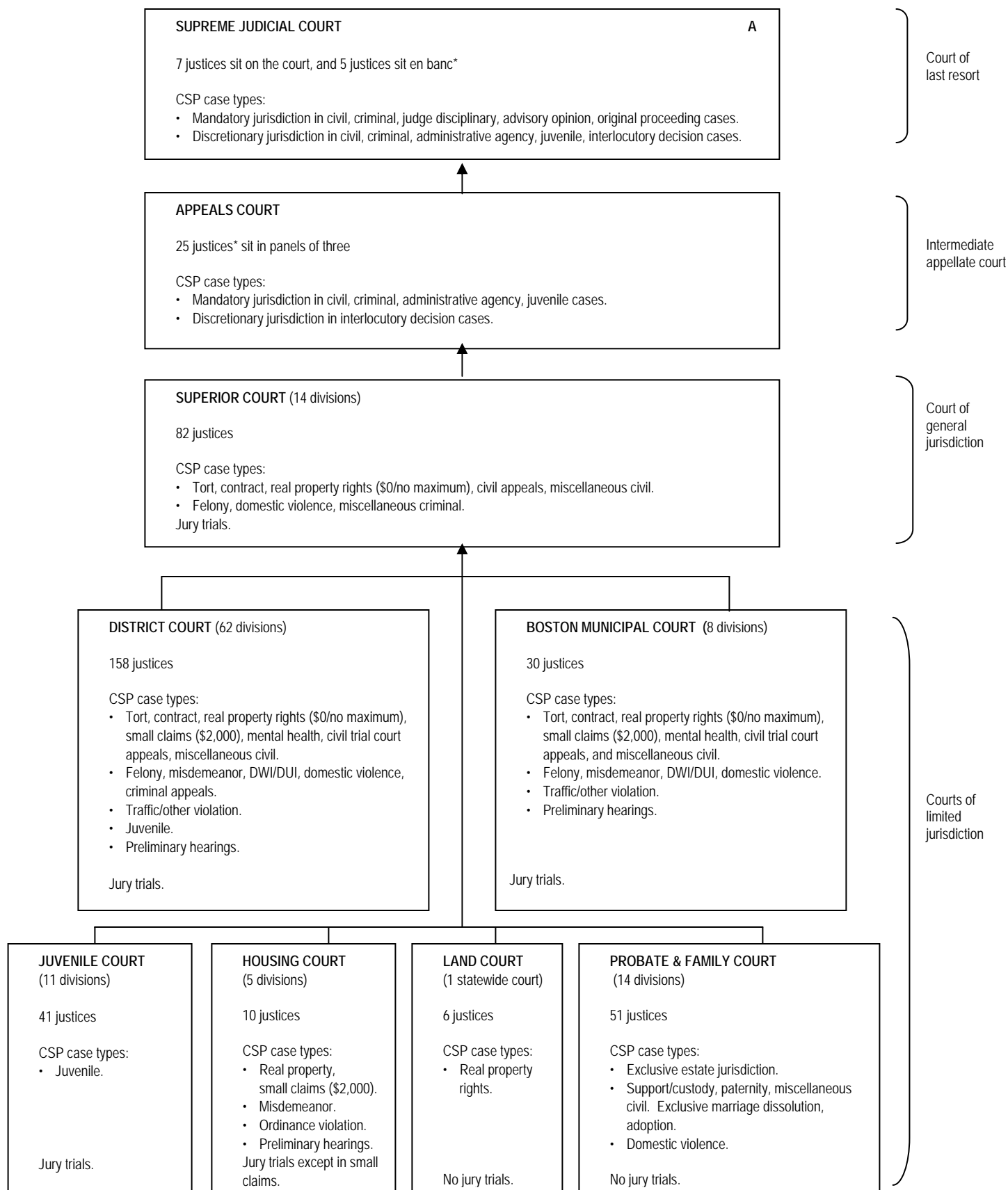
MAINE COURT STRUCTURE, 2004



MARYLAND COURT STRUCTURE, 2004

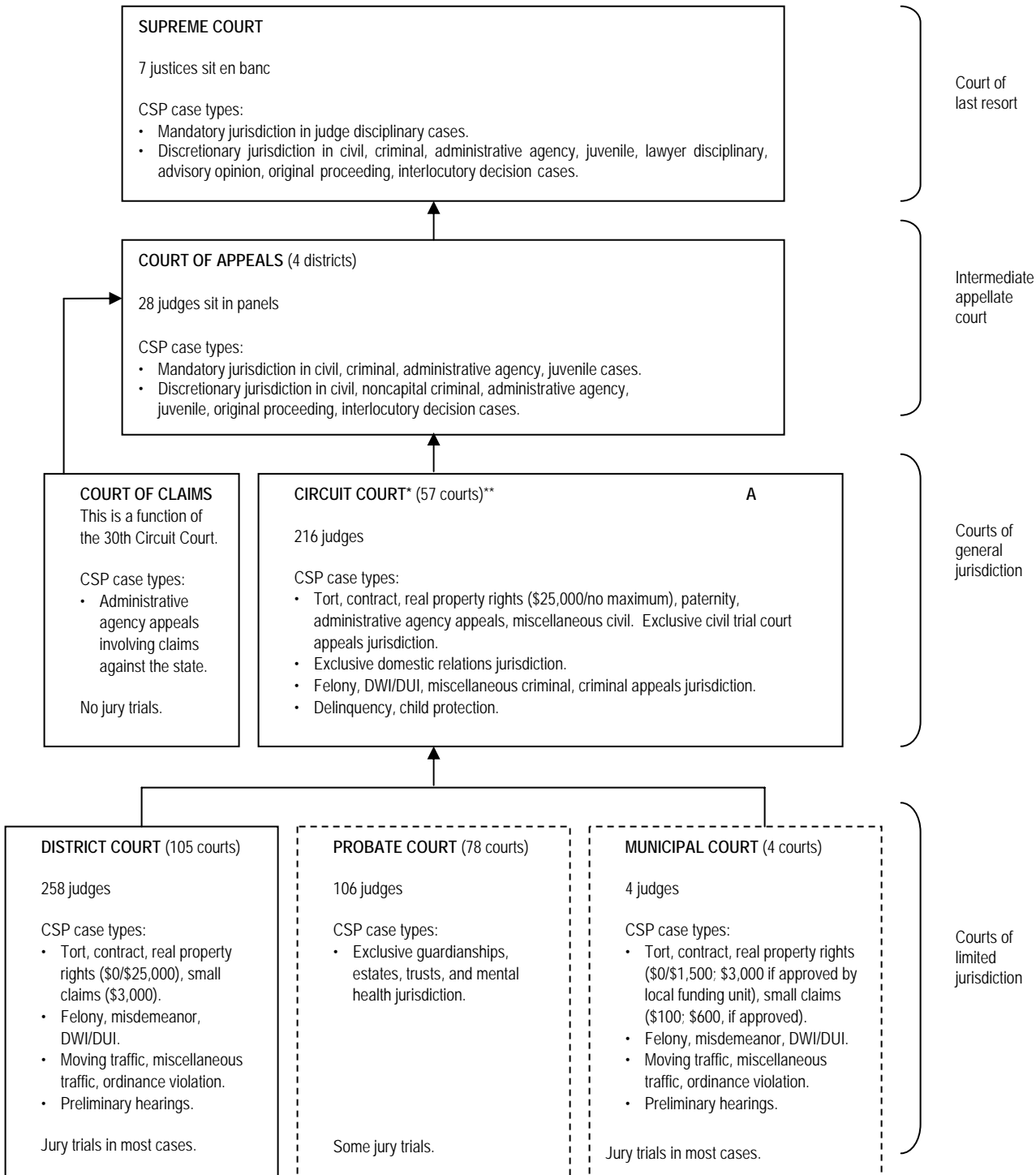


MASSACHUSETTS COURT STRUCTURE, 2004



*The justices also sit individually in the "single justice" side of the court, on a rotating basis.

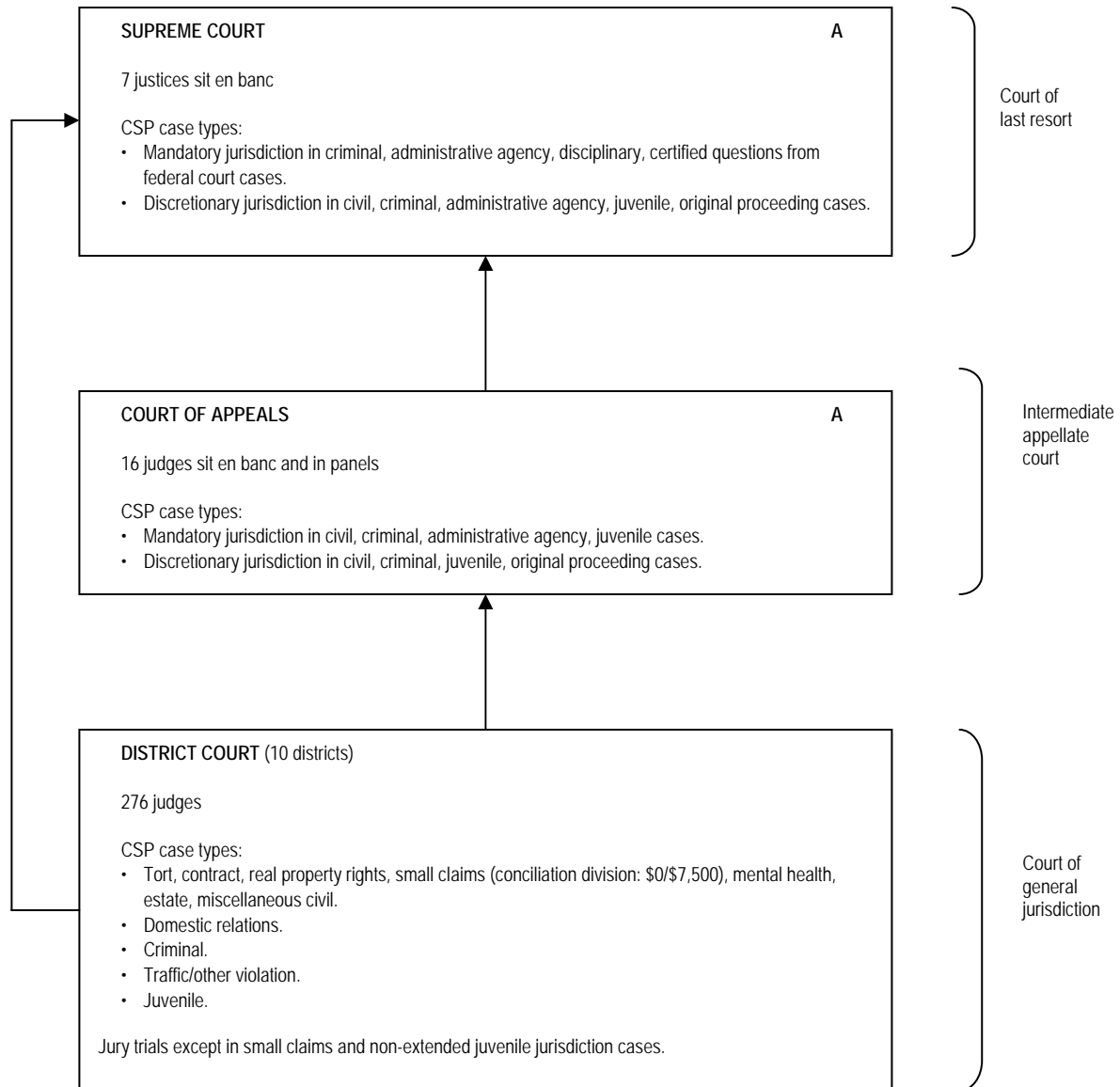
MICHIGAN COURT STRUCTURE, 2004



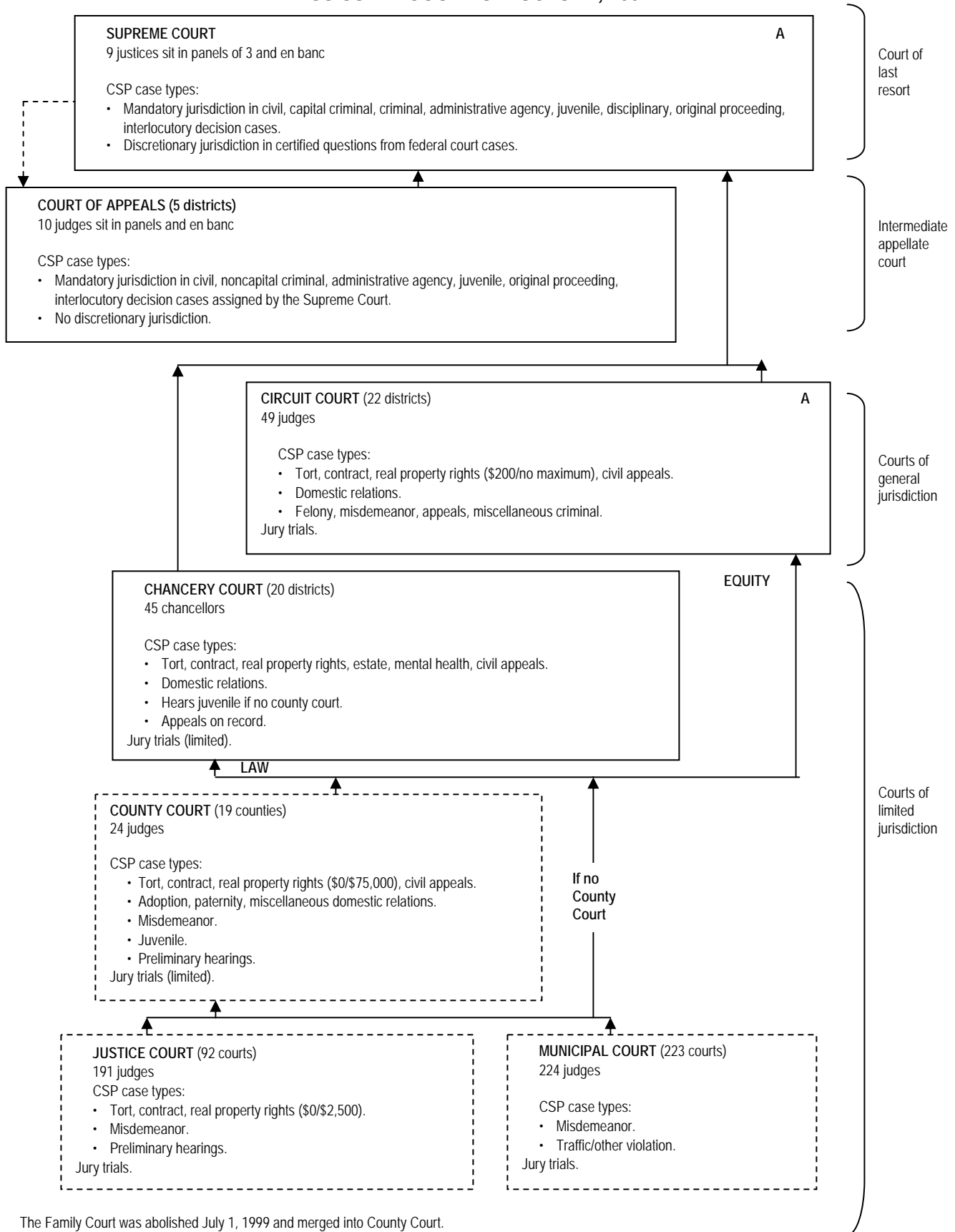
* The Recorder's Court of Detroit merged with the Circuit Court effective October 1, 1997.

** A Family Division of Circuit Court became operational on January 1, 1998.

MINNESOTA COURT STRUCTURE, 2004

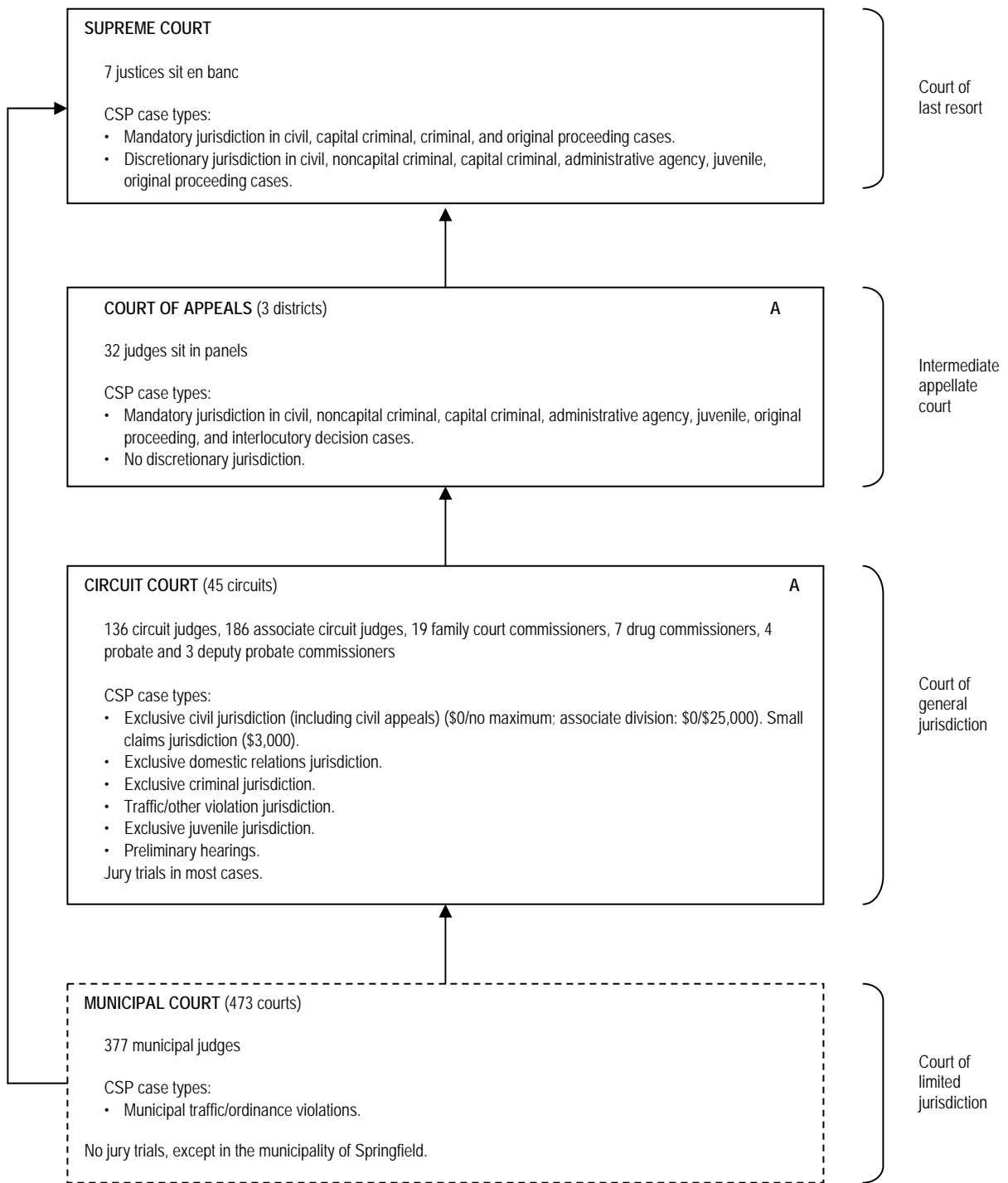


MISSISSIPPI COURT STRUCTURE, 2004

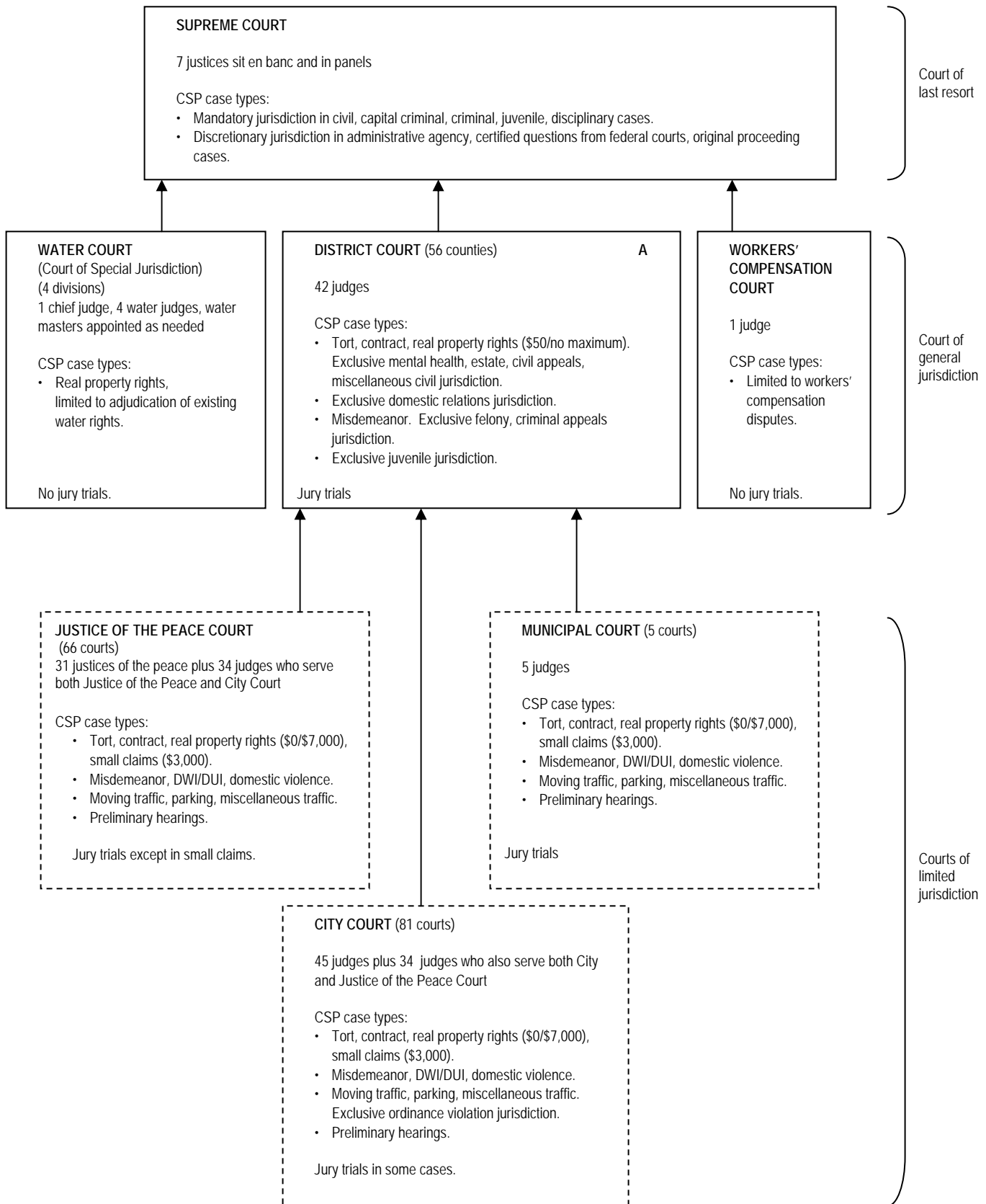


The Family Court was abolished July 1, 1999 and merged into County Court.
 ---- Indicates assignment of cases.

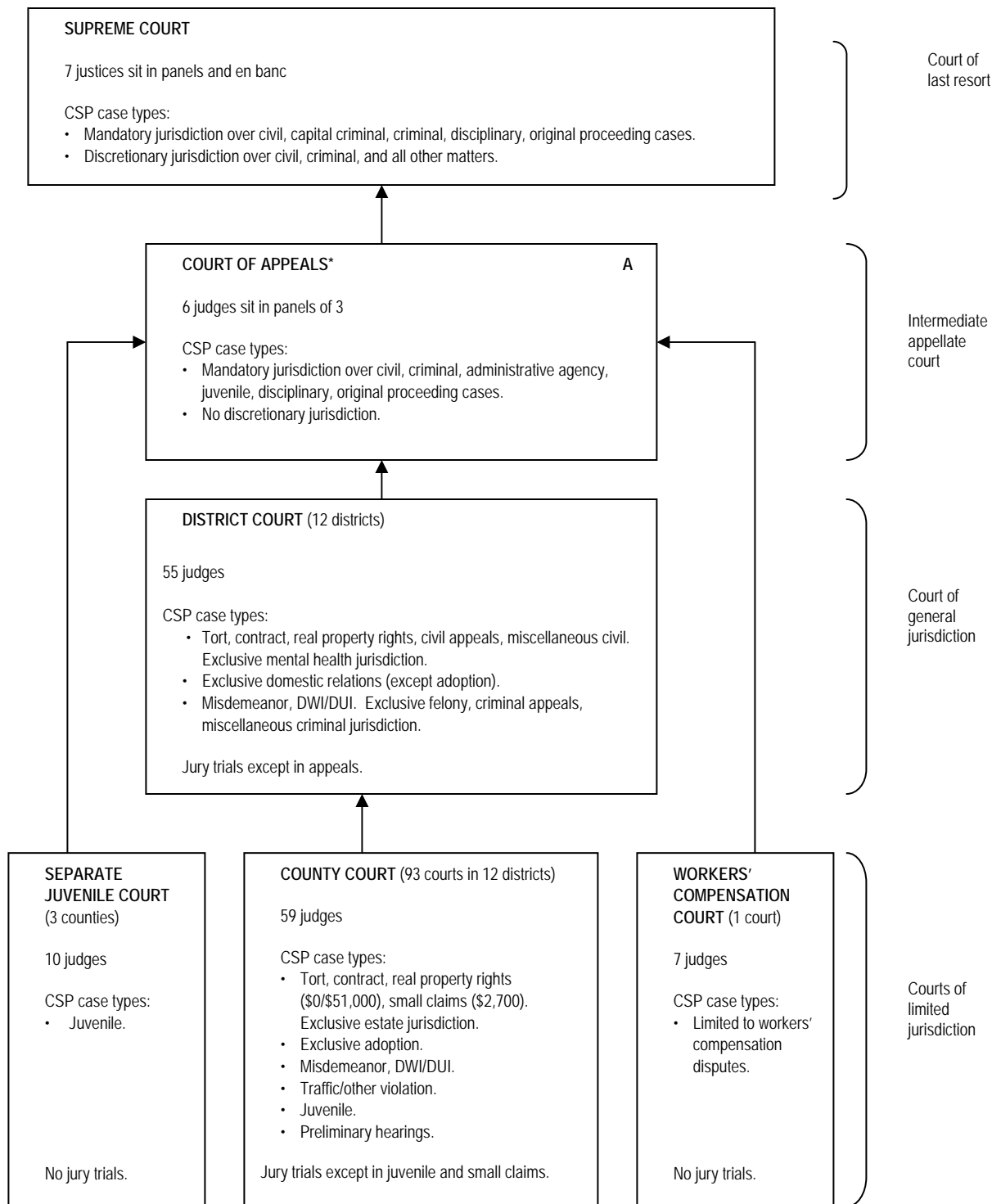
MISSOURI COURT STRUCTURE, 2004



MONTANA COURT STRUCTURE, 2004

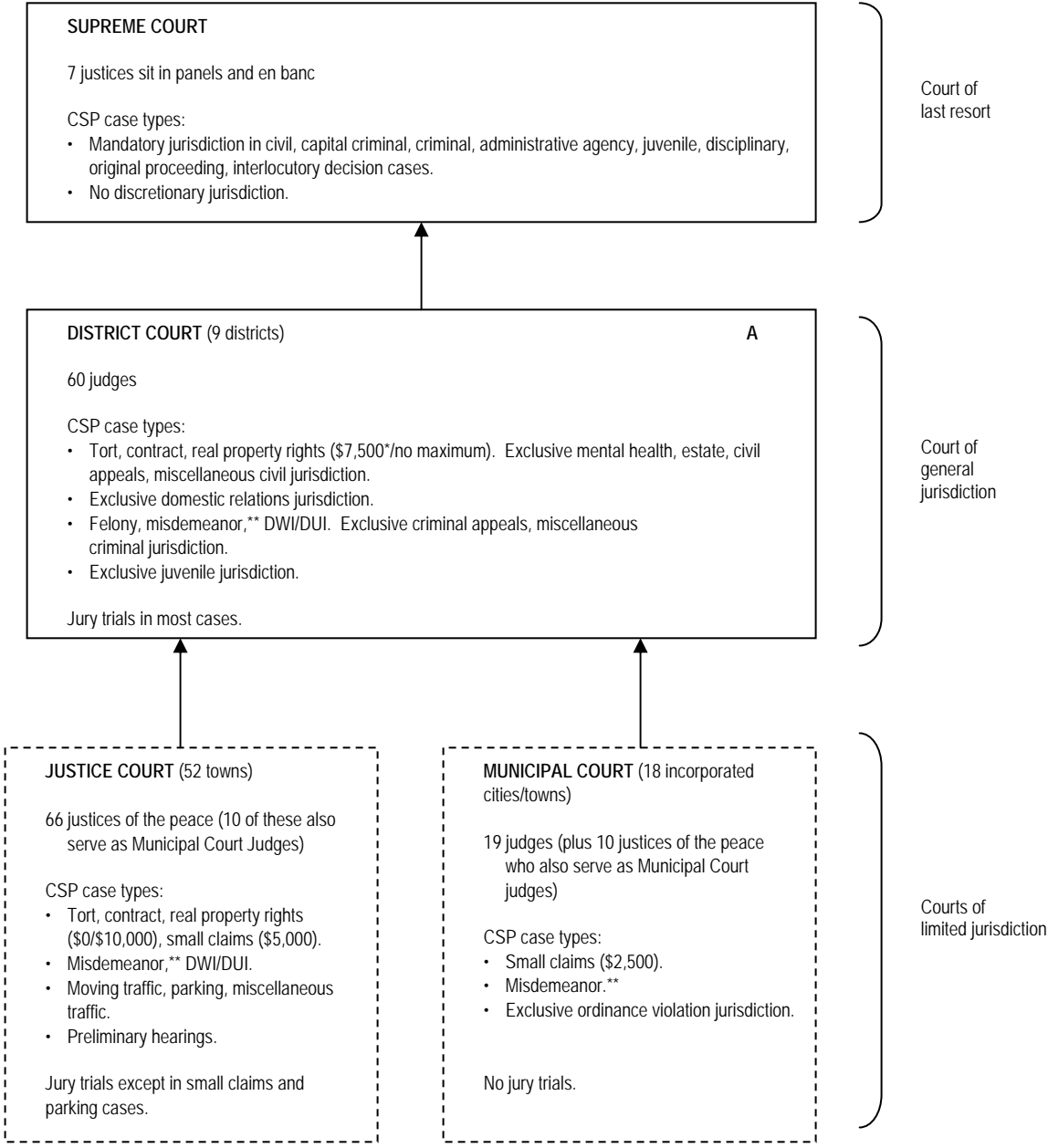


NEBRASKA COURT STRUCTURE, 2004



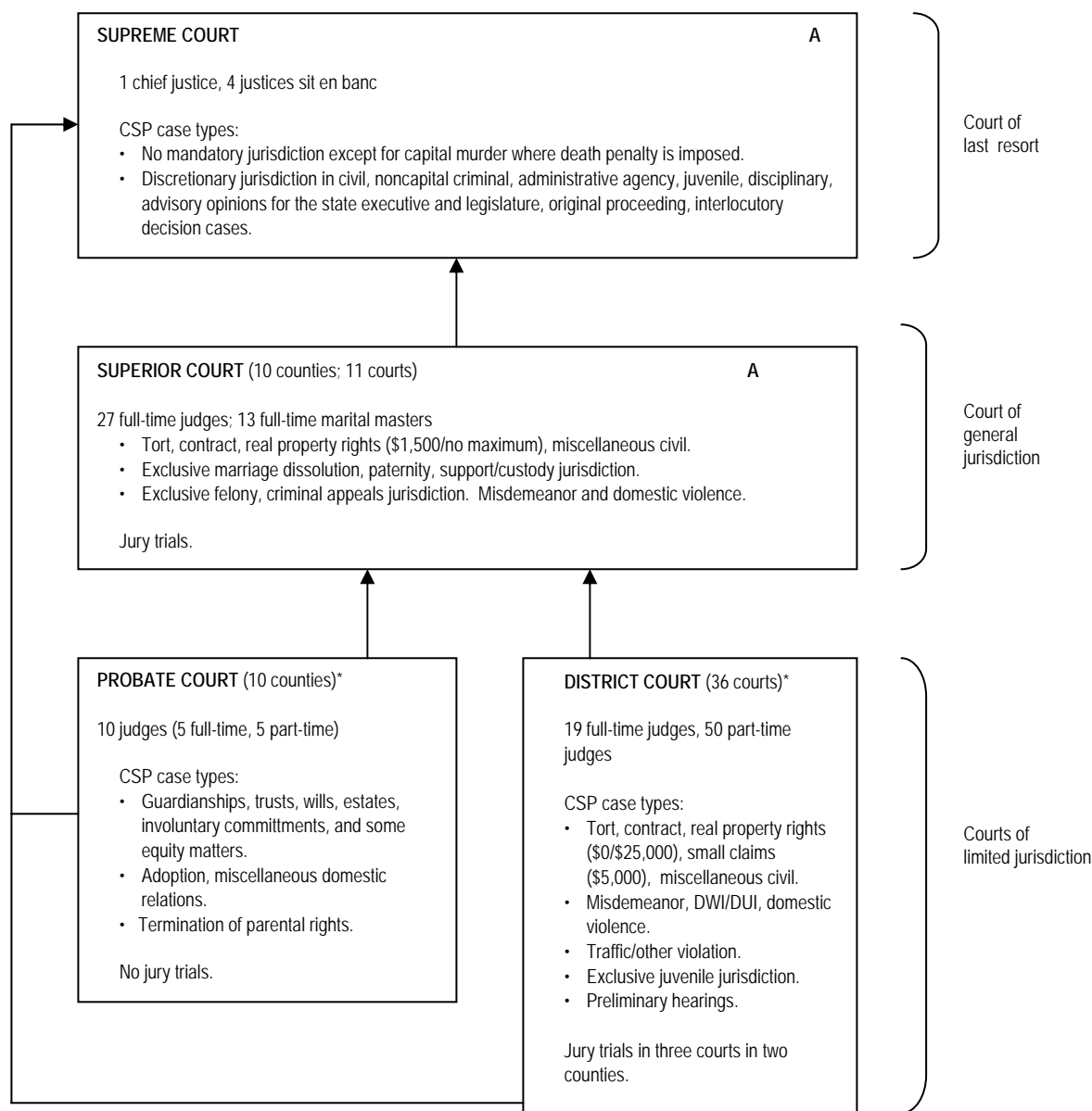
* The Nebraska Court of Appeals was established September 6, 1991.

NEVADA COURT STRUCTURE, 2004



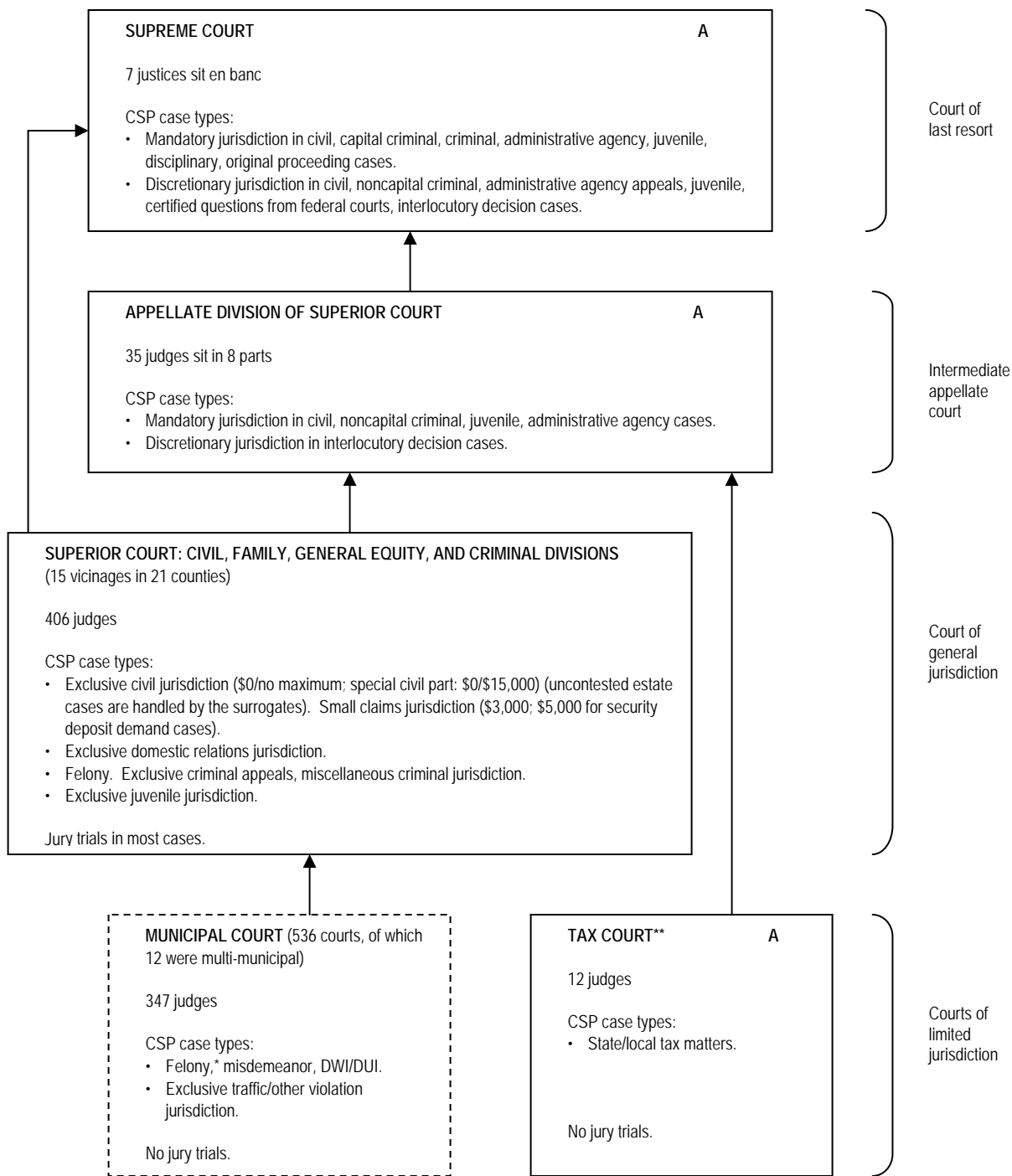
*District and Justice Court dollar amount jurisdiction increased to \$10,000 on January 1, 2005.
 **District Court hears gross misdemeanor cases; Justice & Municipal Courts hear misdemeanors with fines under \$1,000 and/or sentence of less than six months.

NEW HAMPSHIRE COURT STRUCTURE, 2004



*A Family Division Pilot Program was created by the Legislature in 1995 and operates in six District Courts and two Probate Courts. The Family Division Pilot Program includes domestic violence, juvenile, marital matters, termination of parental rights, adoptions, and guardianships over minors in two counties. The Municipal Court merged with the District Court in May 2000.

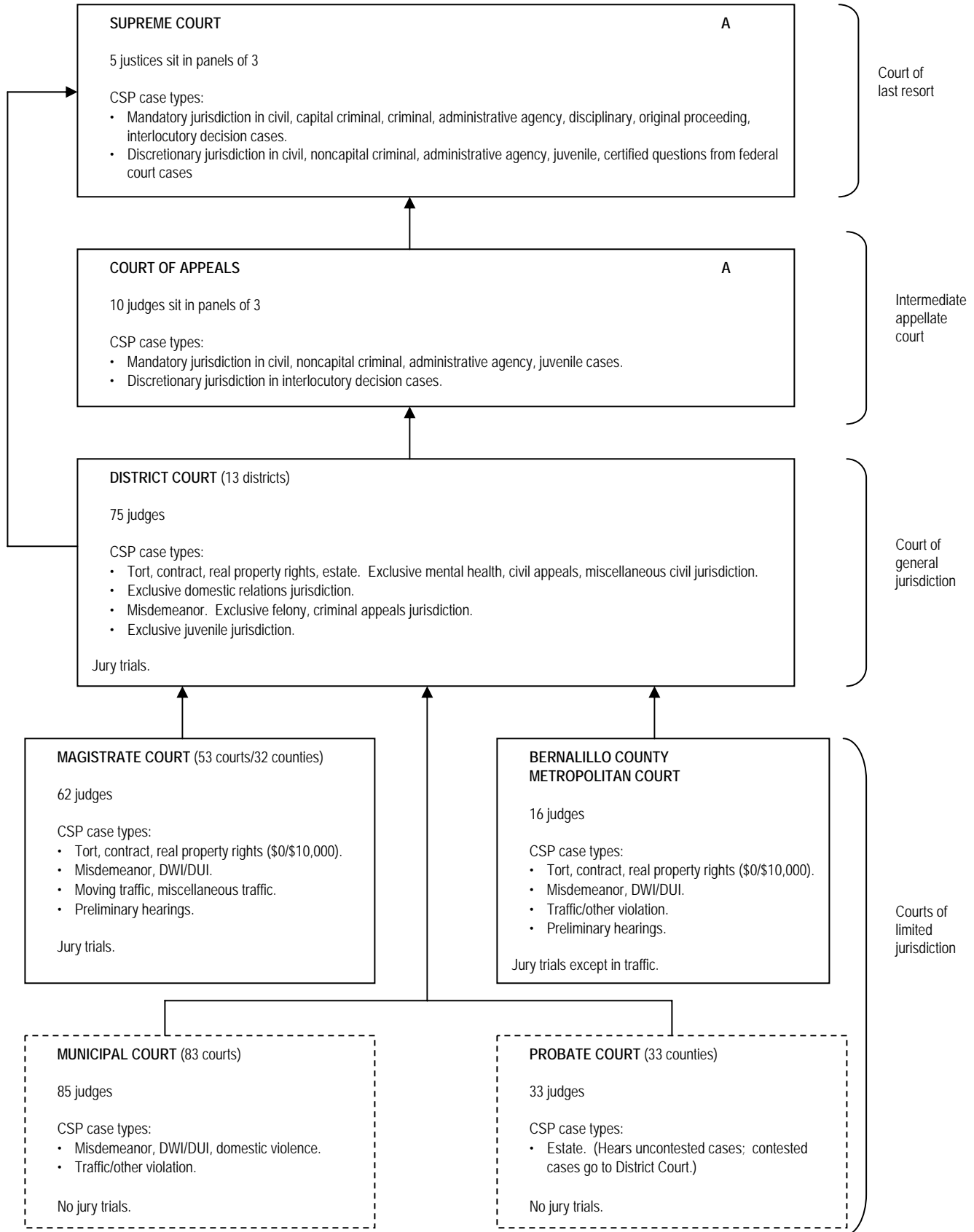
NEW JERSEY COURT STRUCTURE, 2004



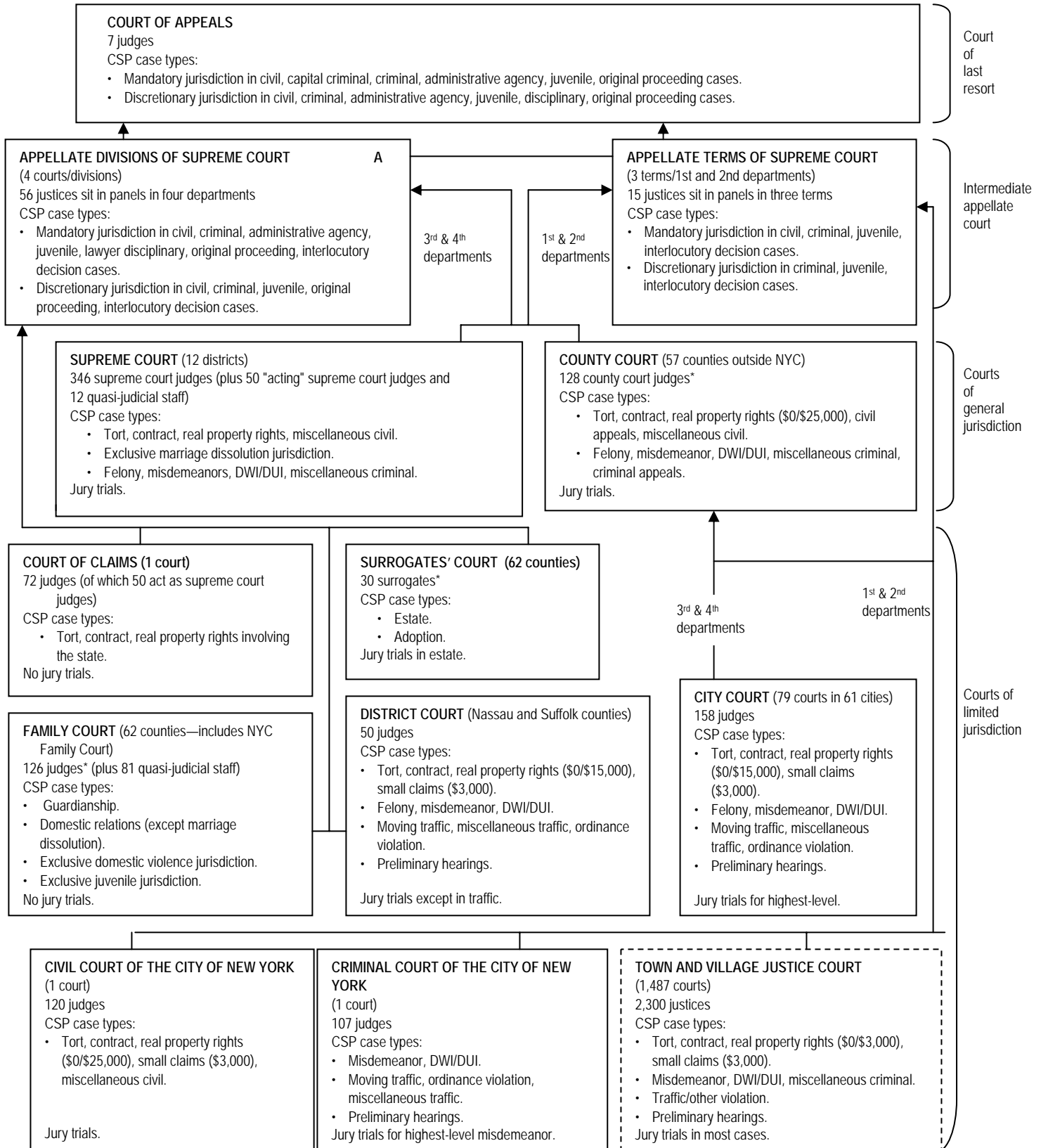
* Felony cases are handled on first appearance in the Municipal Courts and then are transferred through the county Prosecutor's office to the Superior Court.

** Tax court is considered a limited jurisdiction court because of its specialized subject matter. Nevertheless, it receives appeals from administrative bodies and its cases are appealed to the intermediate appellate court. Tax court judges have the same general qualifications and terms of service as superior court judges and can be cross assigned.

NEW MEXICO COURT STRUCTURE, 2004

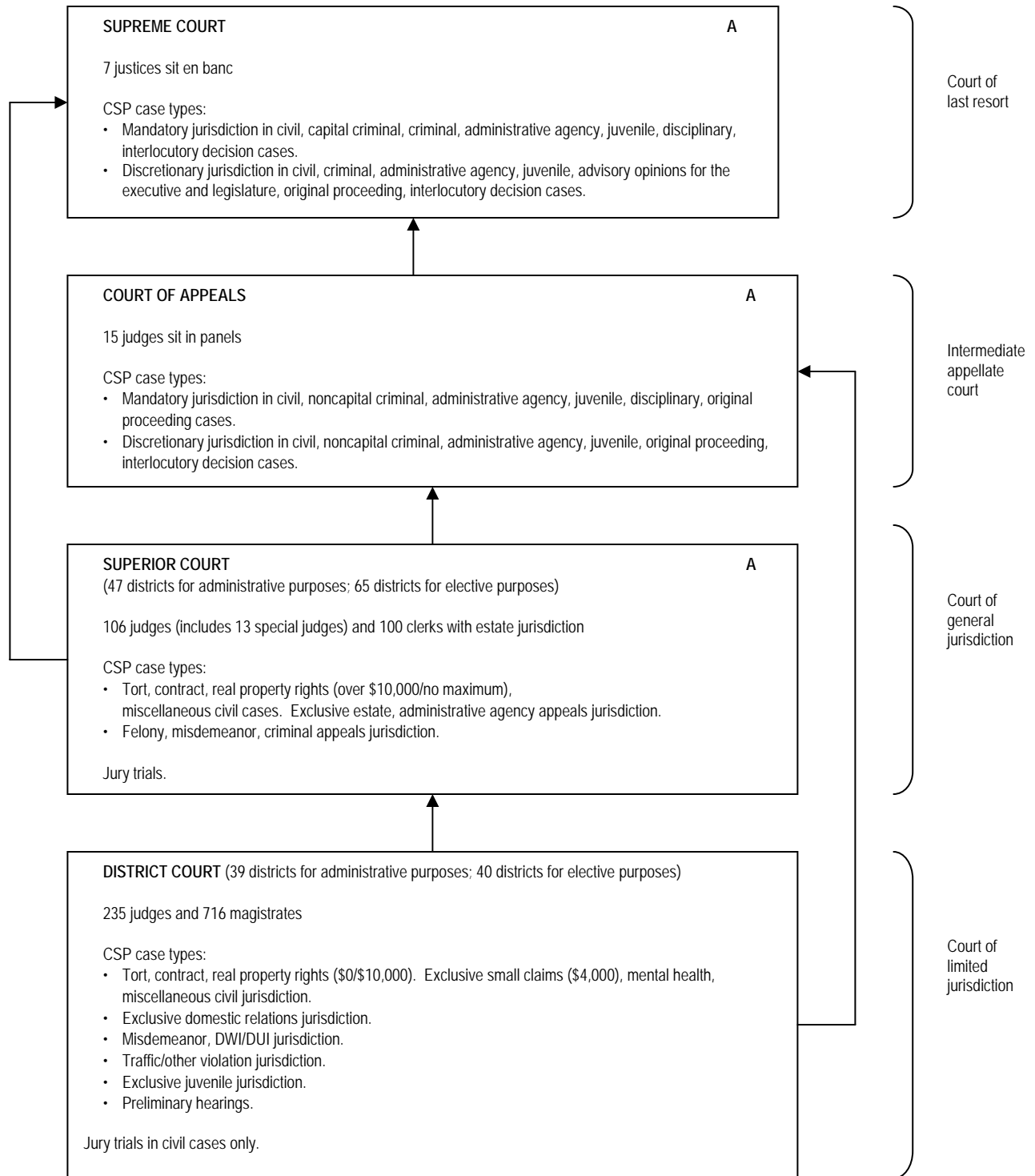


NEW YORK COURT STRUCTURE, 2004*

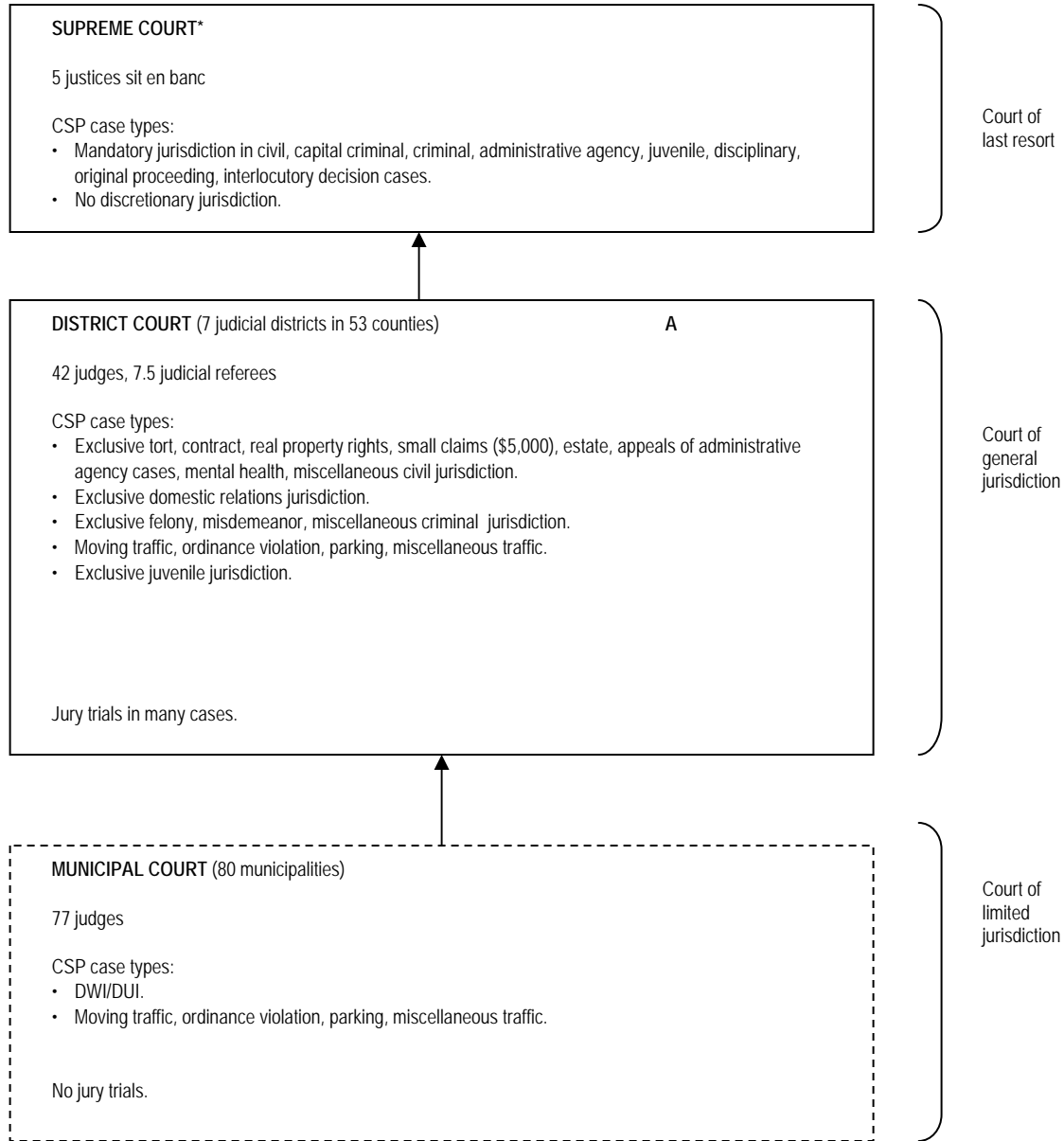


*Unless otherwise noted, numbers reflect statutory authorization. Many judges sit in more than one court so the number of judges indicated in this chart does not reflect the actual number of judges in the system. Fifty County Court judges also serve Surrogates' Court and six County Court judges also serve Family Court.

NORTH CAROLINA COURT STRUCTURE, 2004

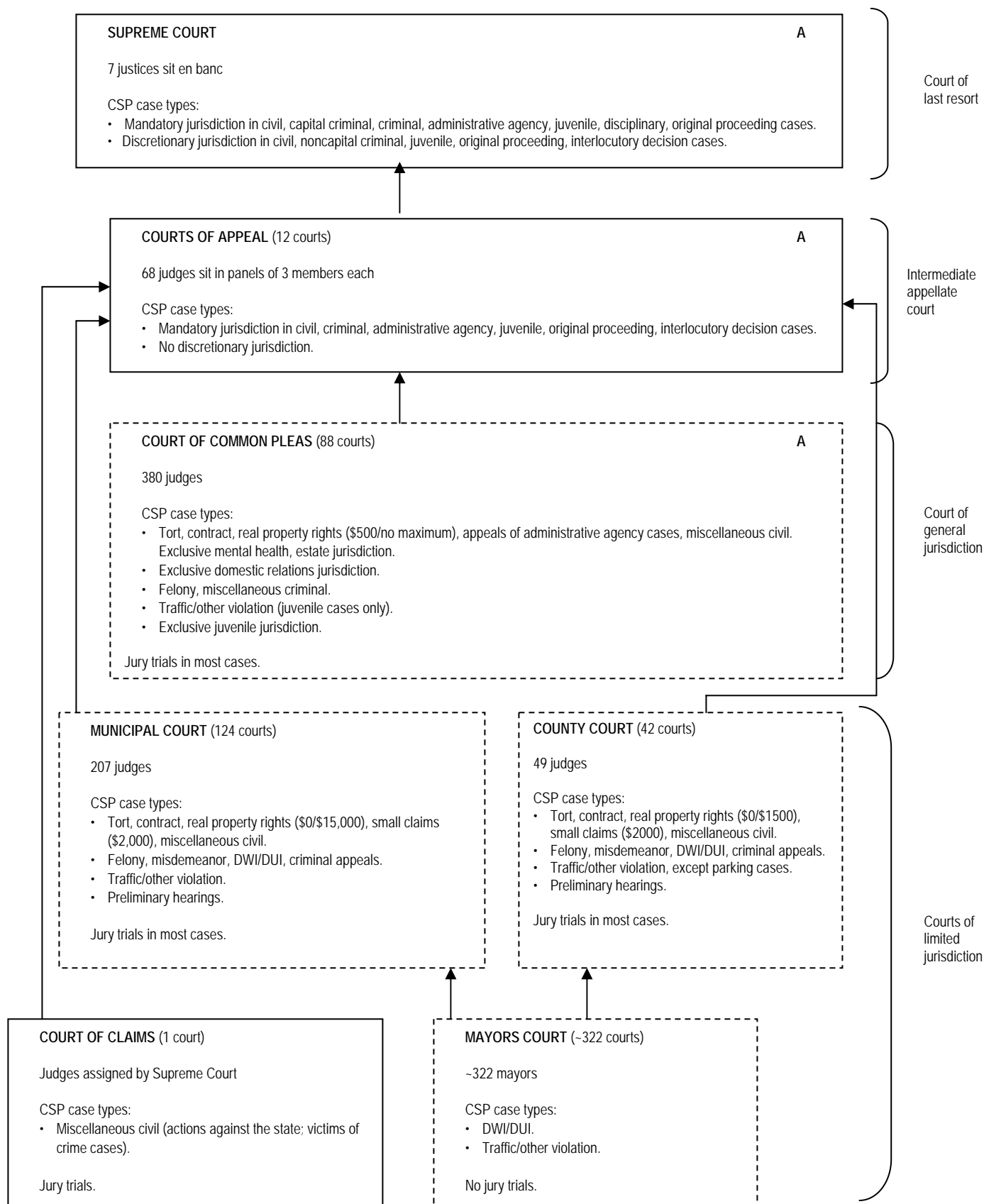


NORTH DAKOTA COURT STRUCTURE, 2004

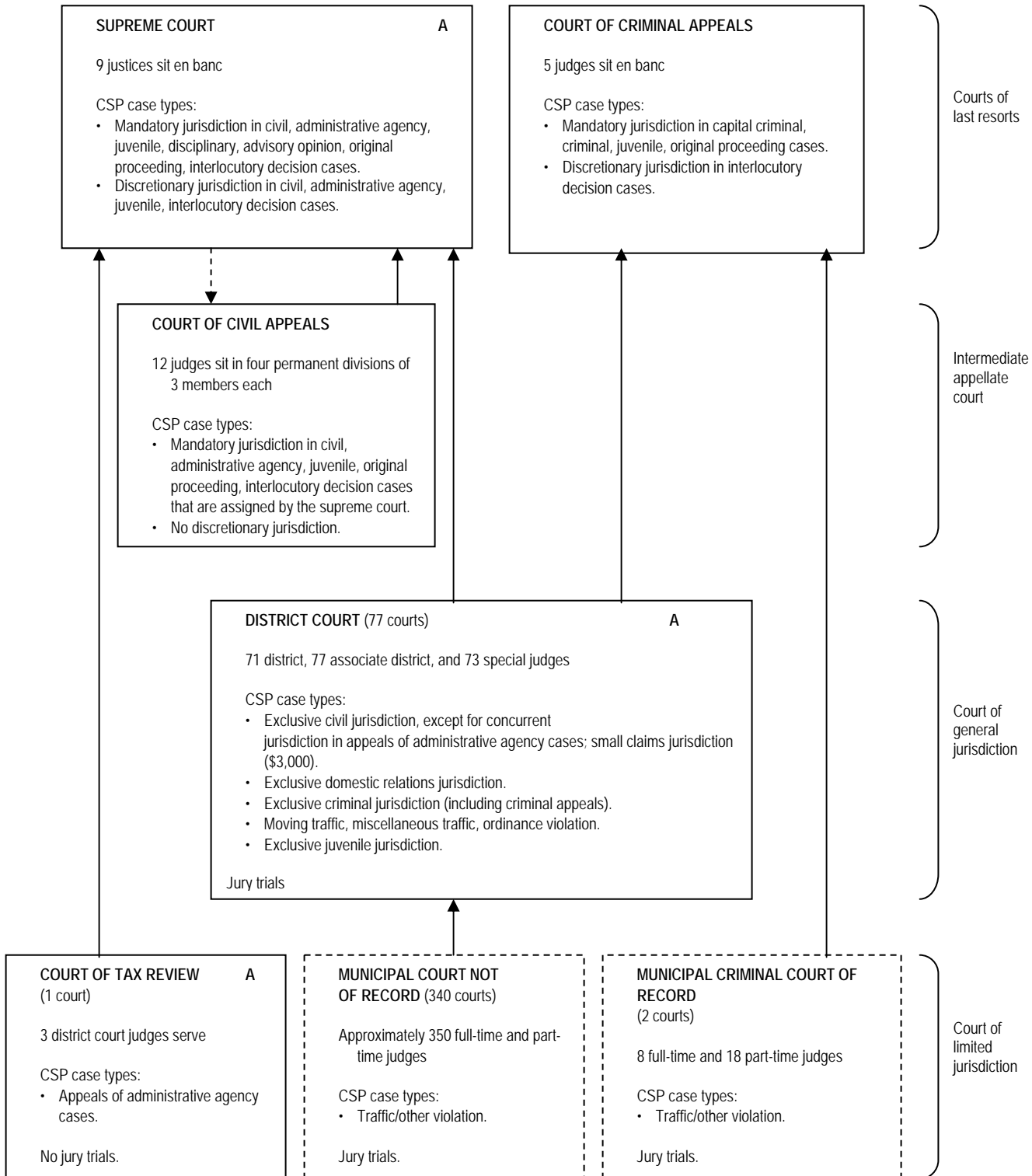


* A temporary Court of Appeals was established July 1, 1987, to exercise appellate and original jurisdiction as delegated by the Supreme Court. This court does not sit, has no assigned judges, and has heard no appeals. It is currently unfunded.

OHIO COURT STRUCTURE, 2004



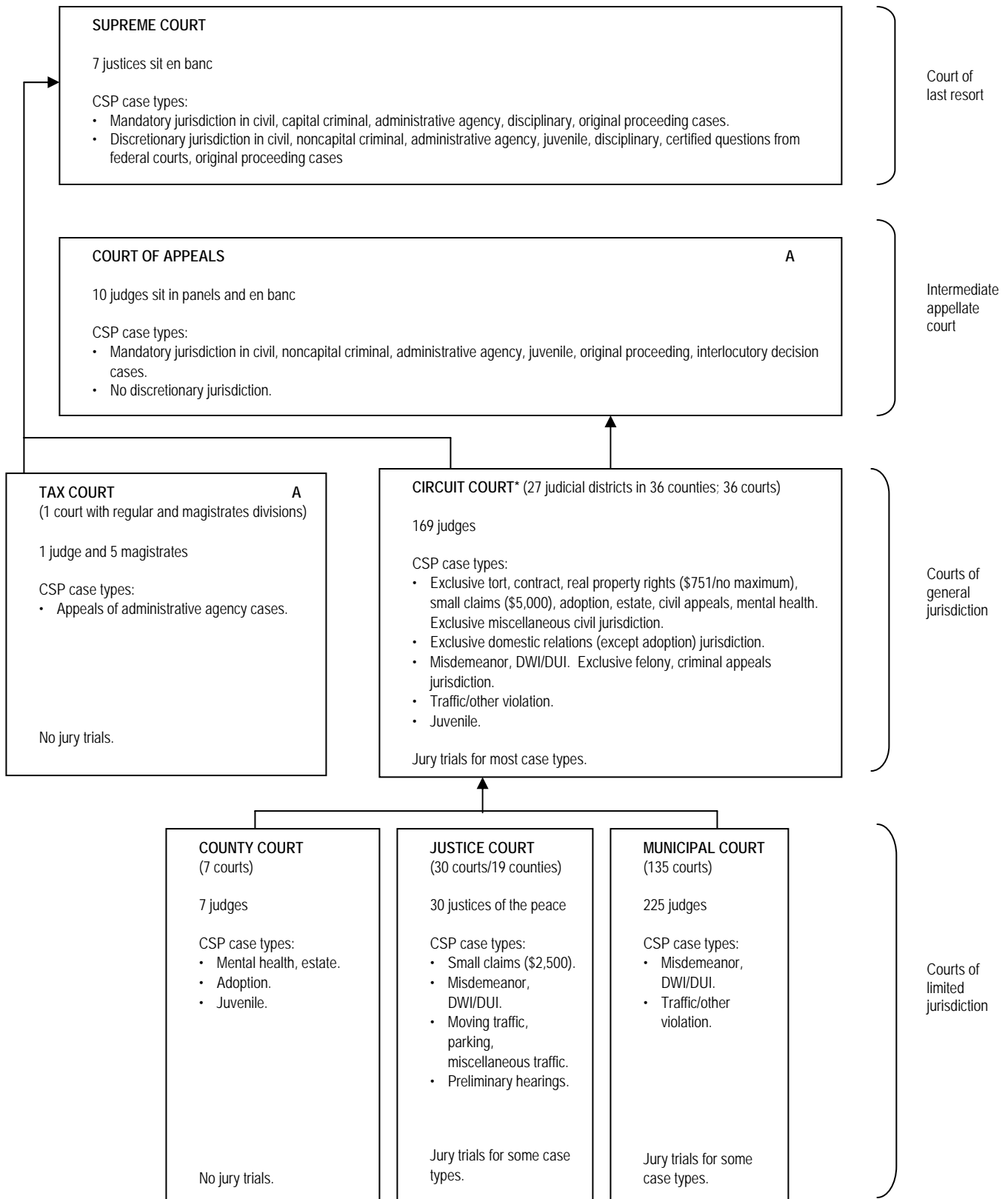
OKLAHOMA COURT STRUCTURE, 2004



----- Indicates assignment of cases.

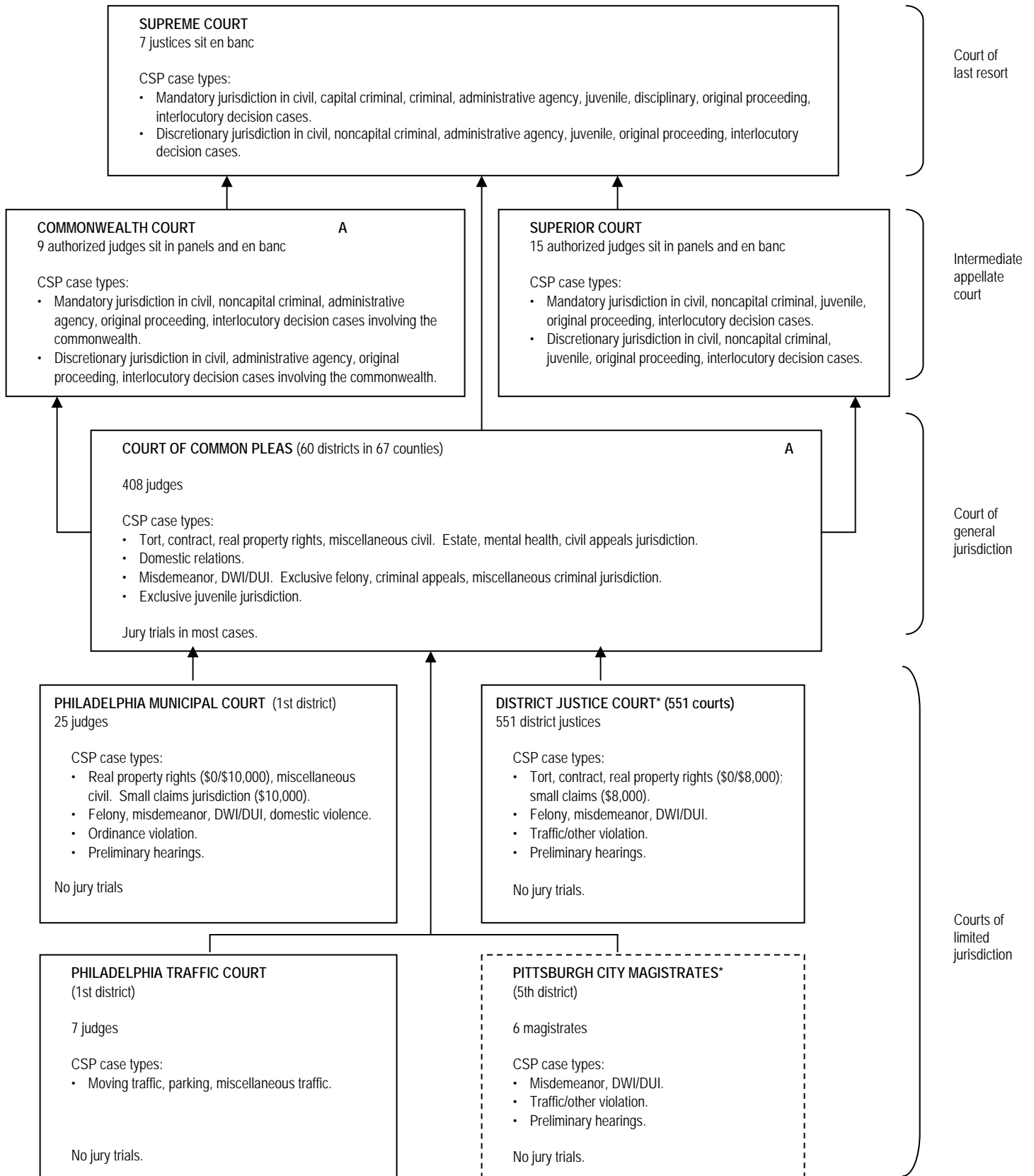
Note: Oklahoma has a workers' compensation court, which hears complaints that are handled exclusively by administrative agencies in other states.

OREGON COURT STRUCTURE, 2004



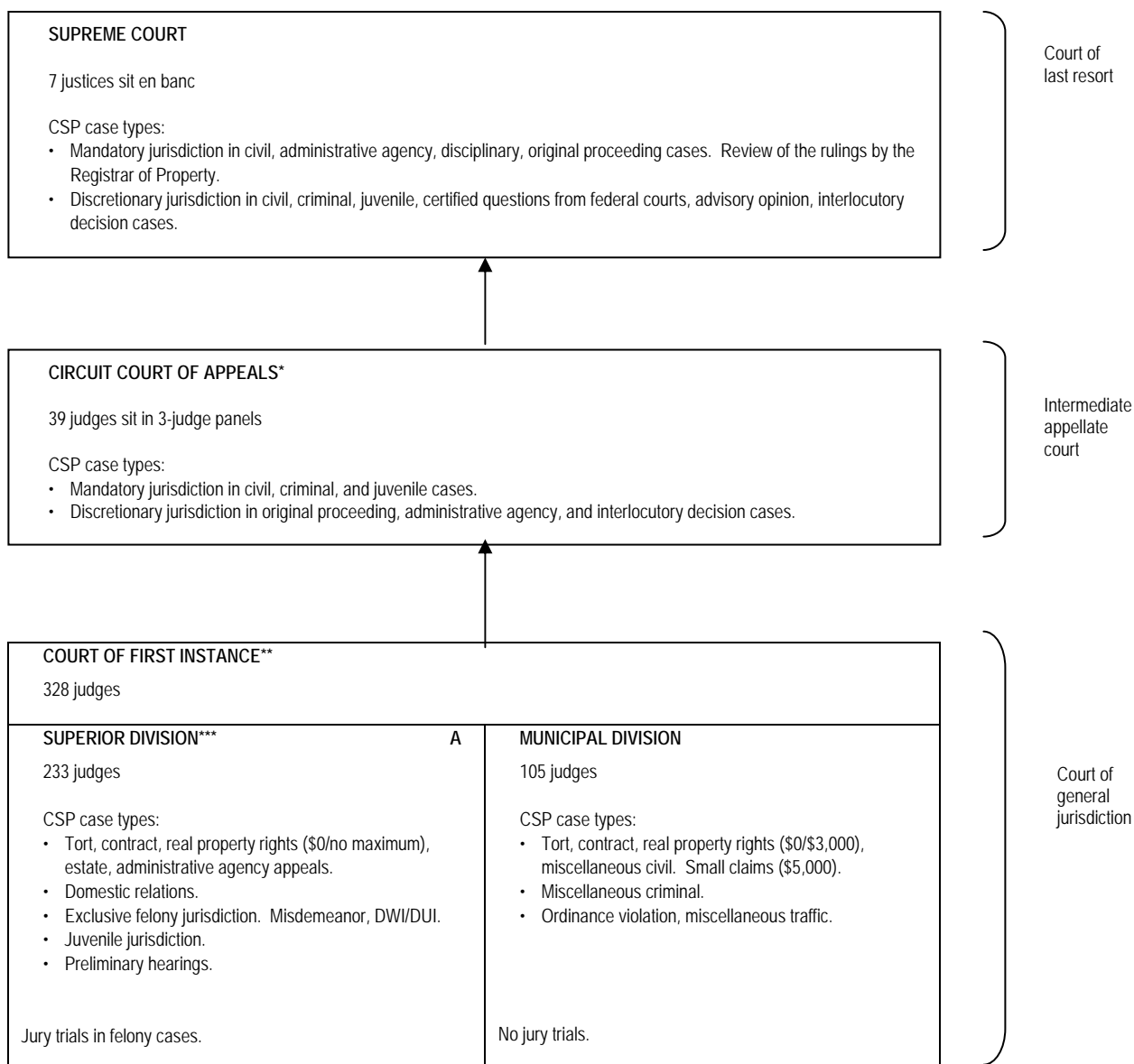
* Effective January 15, 1998, all District Courts were eliminated and District judges became Circuit judges.

PENNSYLVANIA COURT STRUCTURE, 2004



*Effective January 2005, Pittsburgh City Magistrates merged with District Justice Court, which was renamed Magisterial District Judges Court.

PUERTO RICO COURT STRUCTURE, 2004

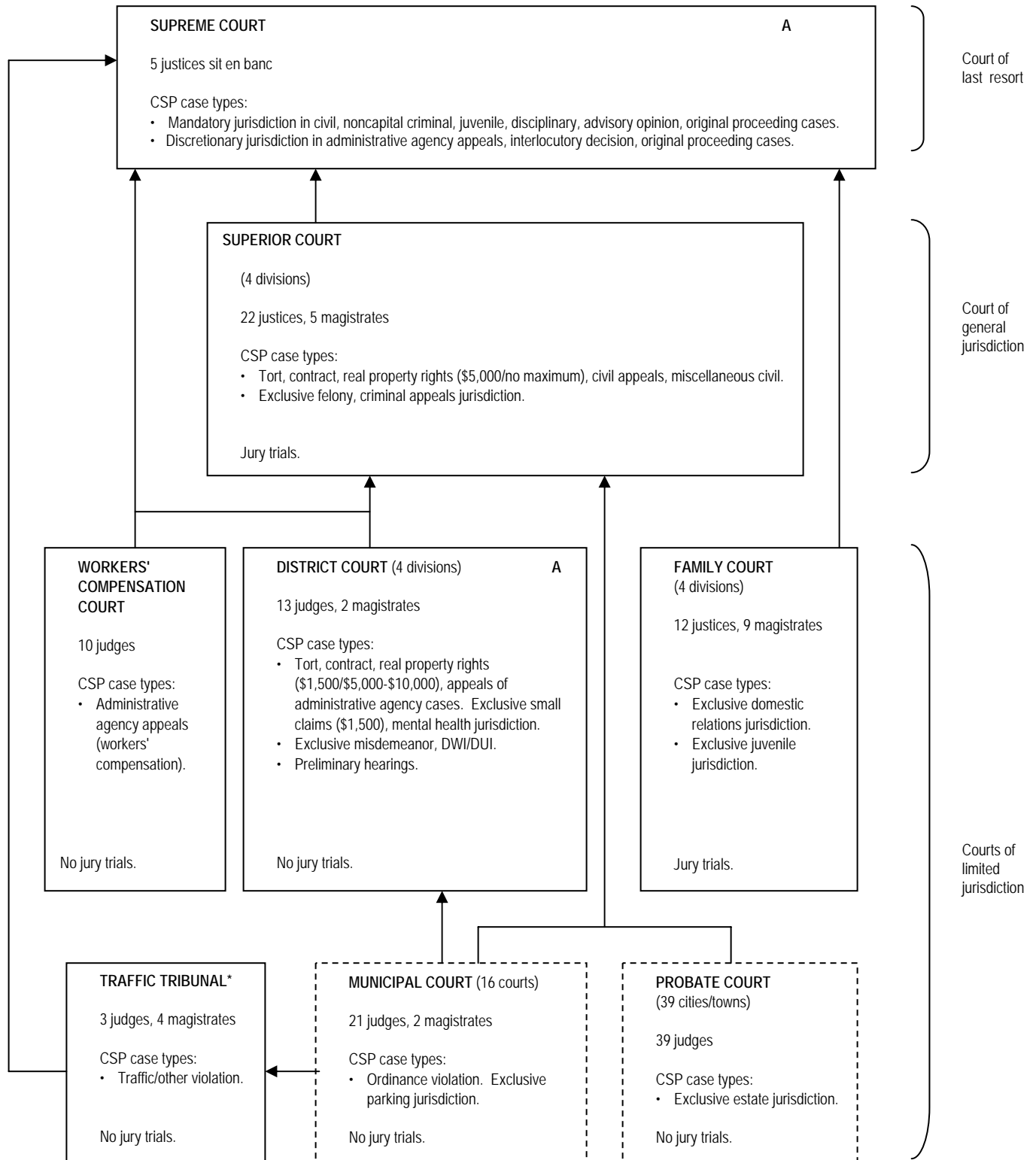


*Created July 28, 1994; operational January 1, 1995.

**Created in 1994; operational in 1995.

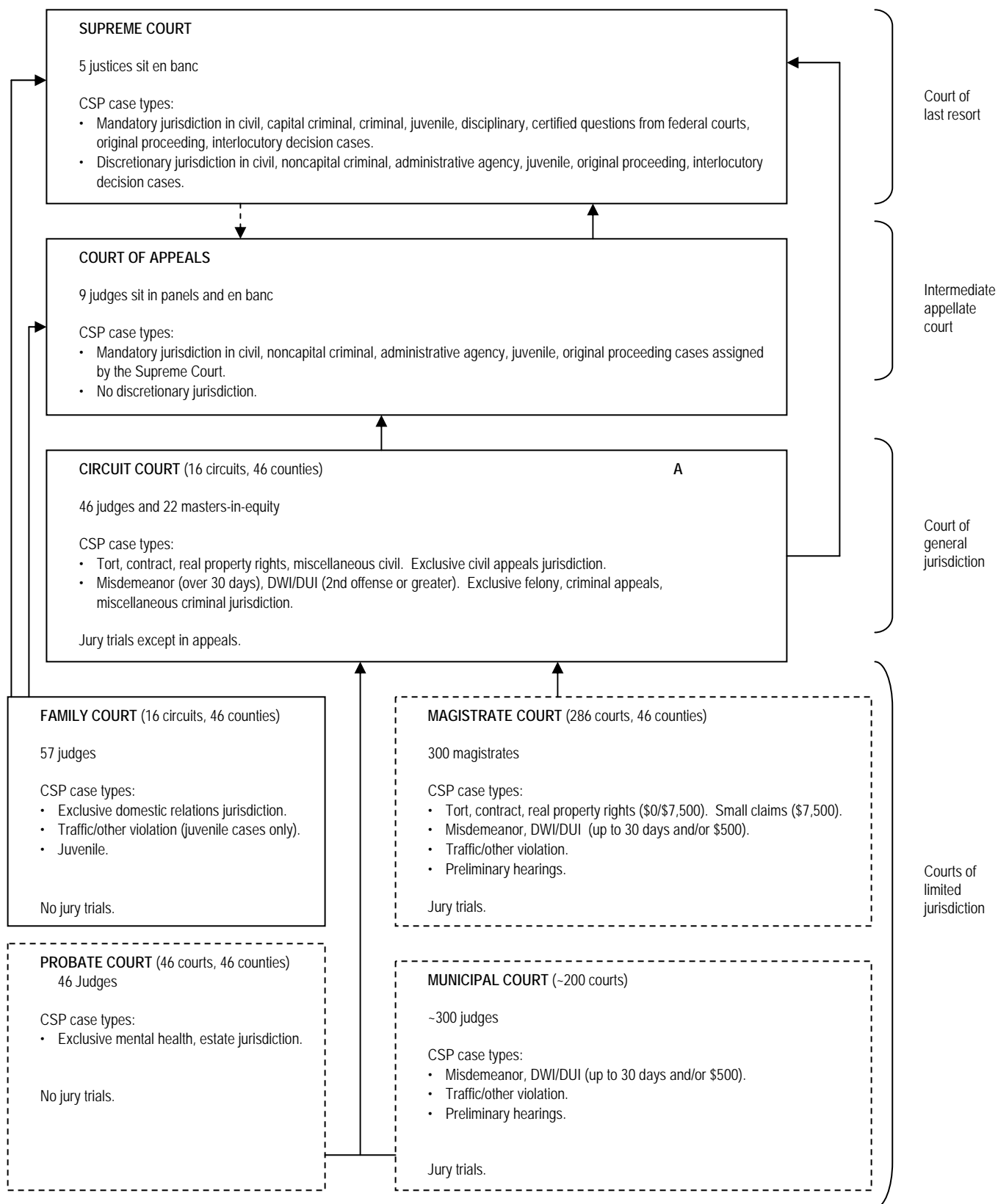
***The Judicial Reform Act of 1994 established the abolition of the District Subsection. The District Subsection was abolished in 2002, and its functions were transferred to the Superior Division.

RHODE ISLAND COURT STRUCTURE, 2004



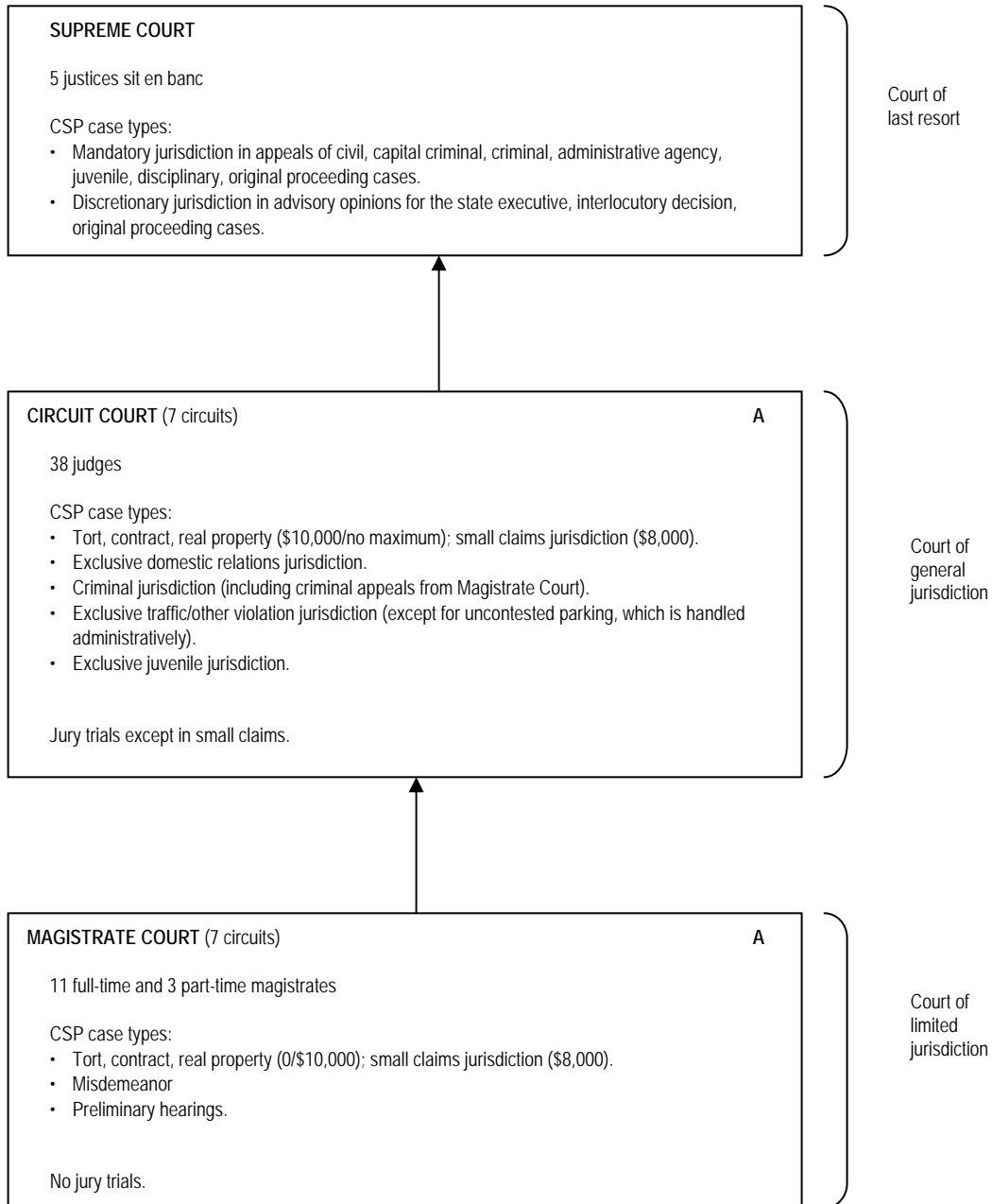
* This court was formerly known as the Rhode Island Administrative Adjudication Court.

SOUTH CAROLINA COURT STRUCTURE, 2004

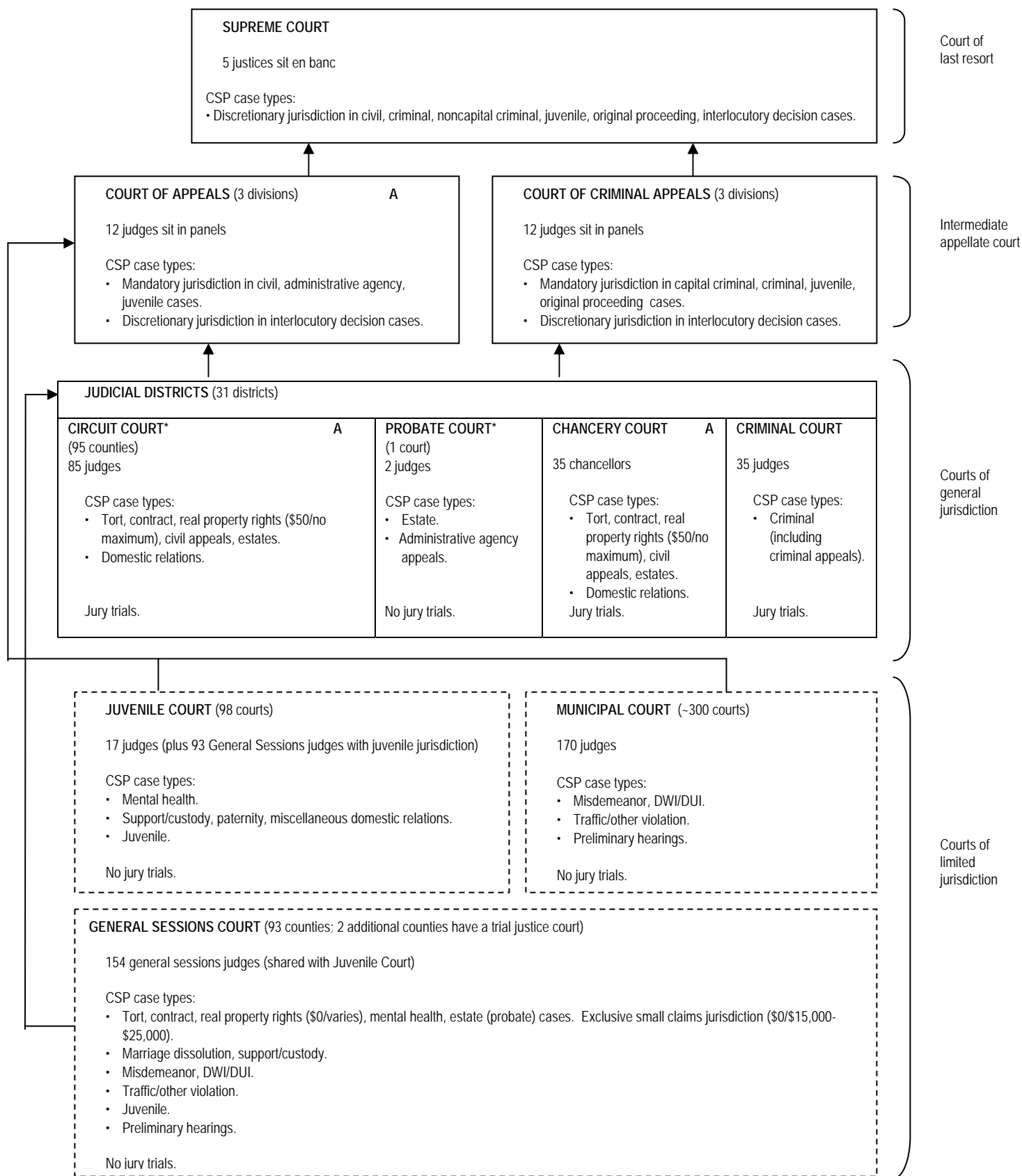


----- Indicates assignment of cases.

SOUTH DAKOTA COURT STRUCTURE, 2004

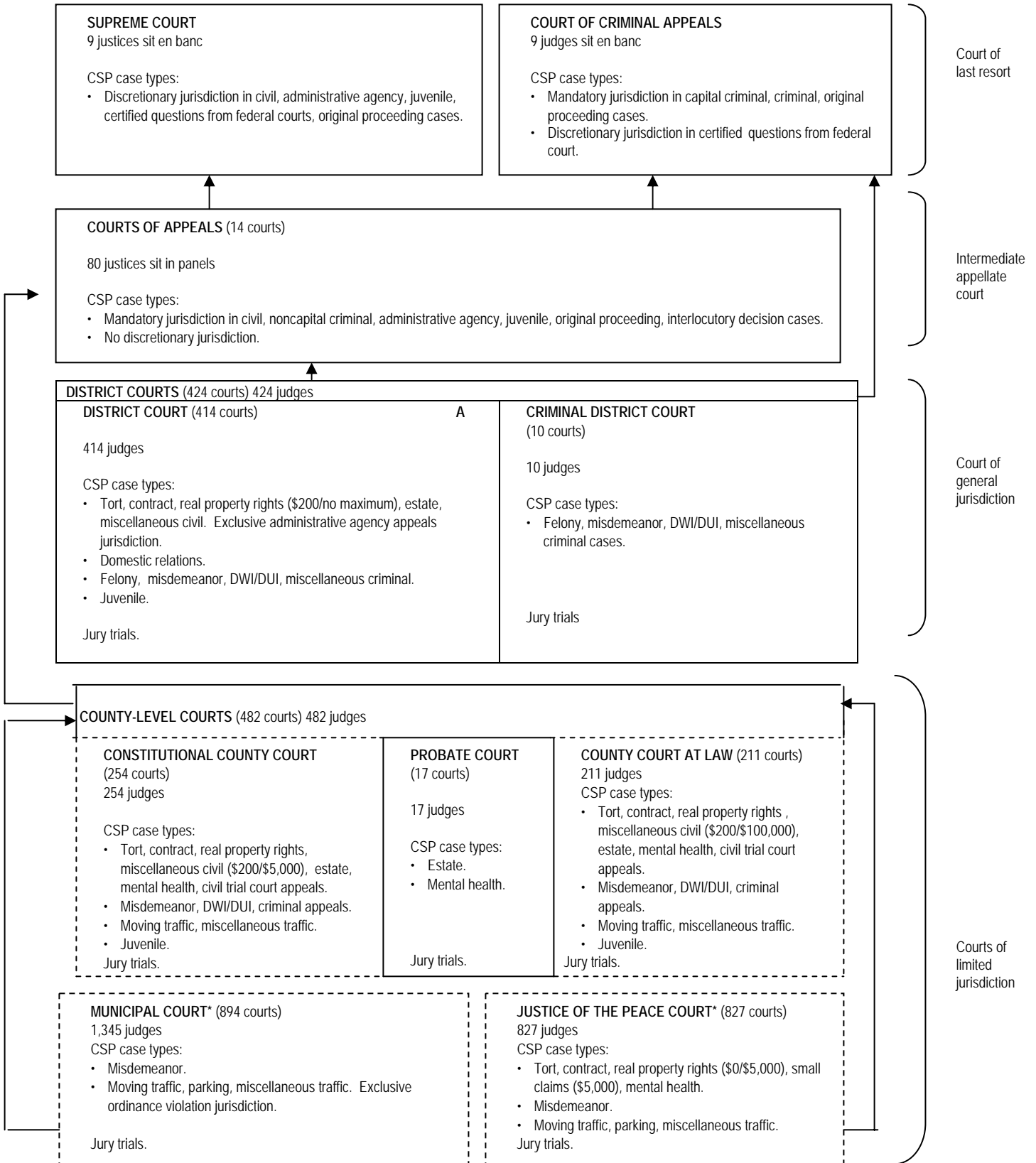


TENNESSEE COURT STRUCTURE, 2004

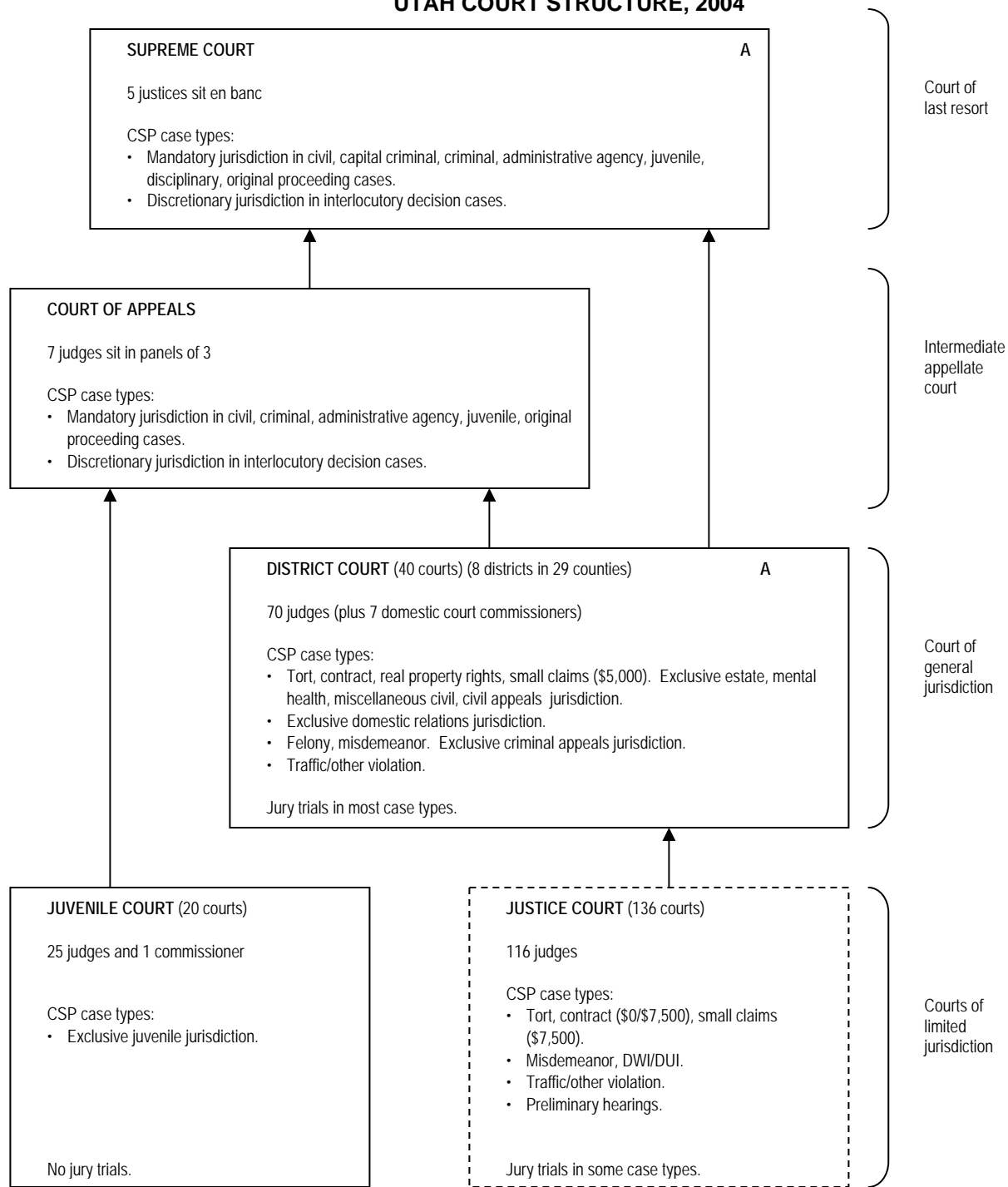


*Effective September 1, 1998 Davidson County Probate Court became a Circuit Court with probate jurisdiction.

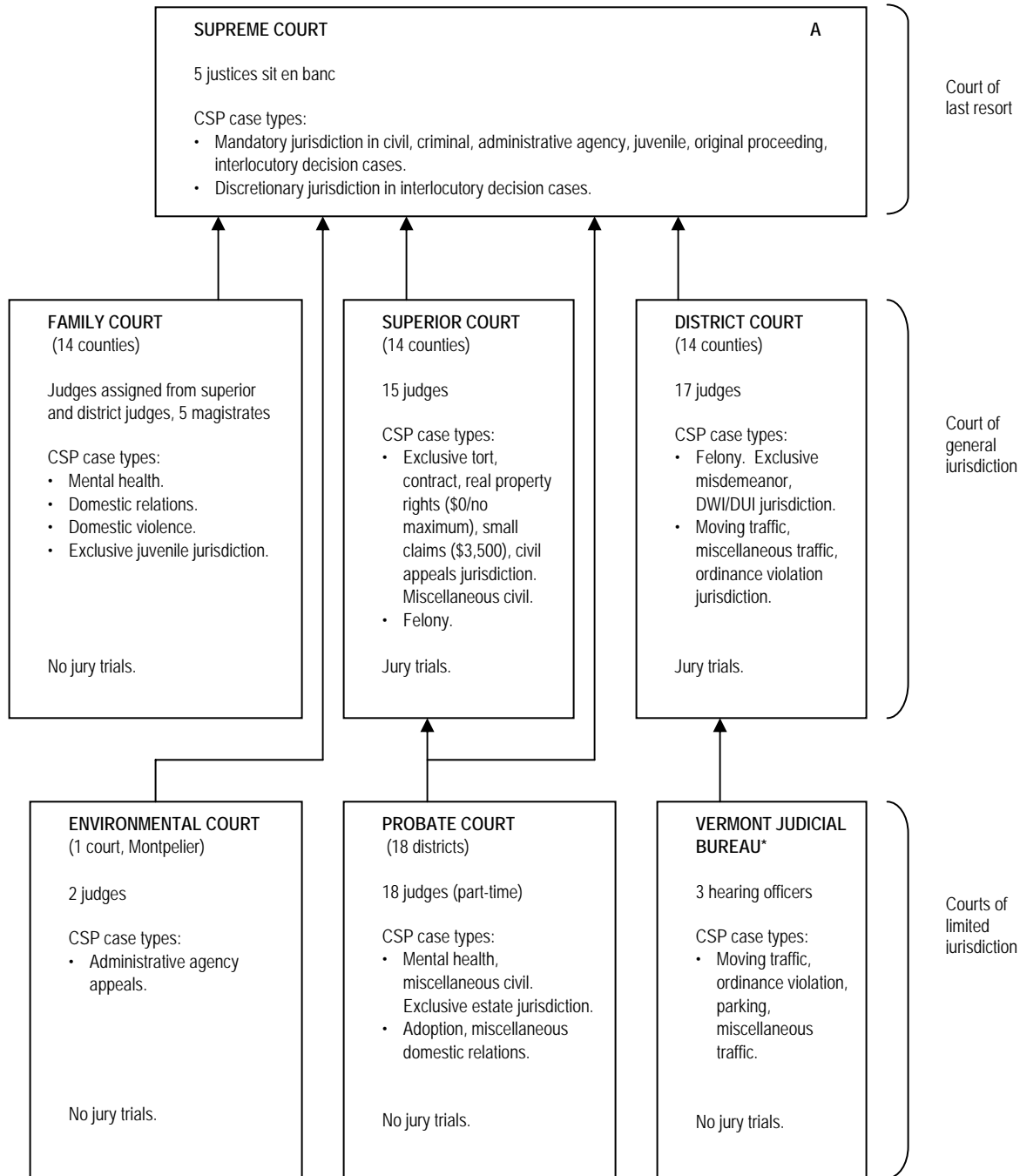
TEXAS COURT STRUCTURE, 2004



UTAH COURT STRUCTURE, 2004



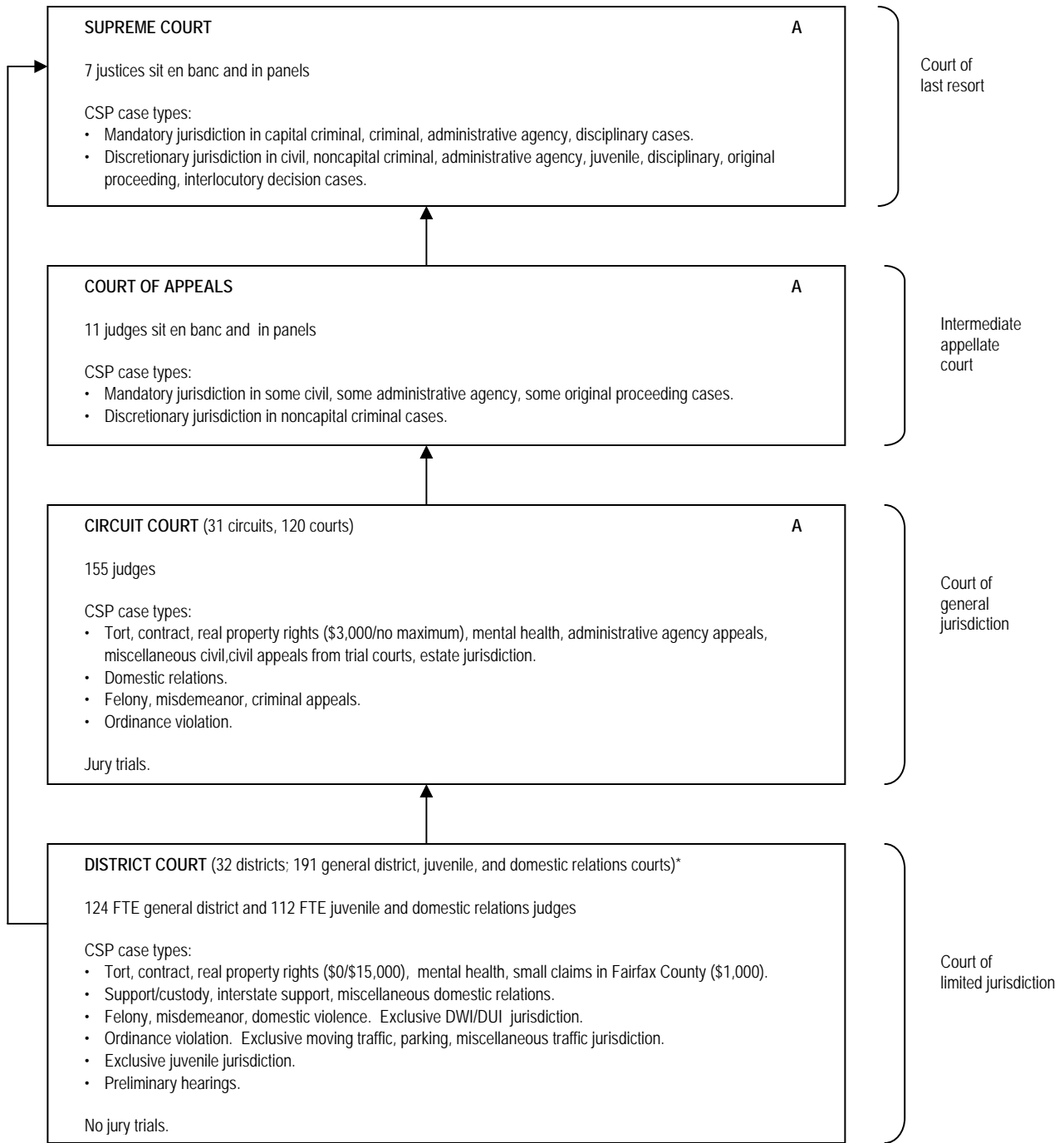
VERMONT COURT STRUCTURE, 2004



* Renamed Vermont Judicial Bureau as of 7/1/98, this court was formerly known as the Vermont Traffic and Municipal Ordinance Bureau.

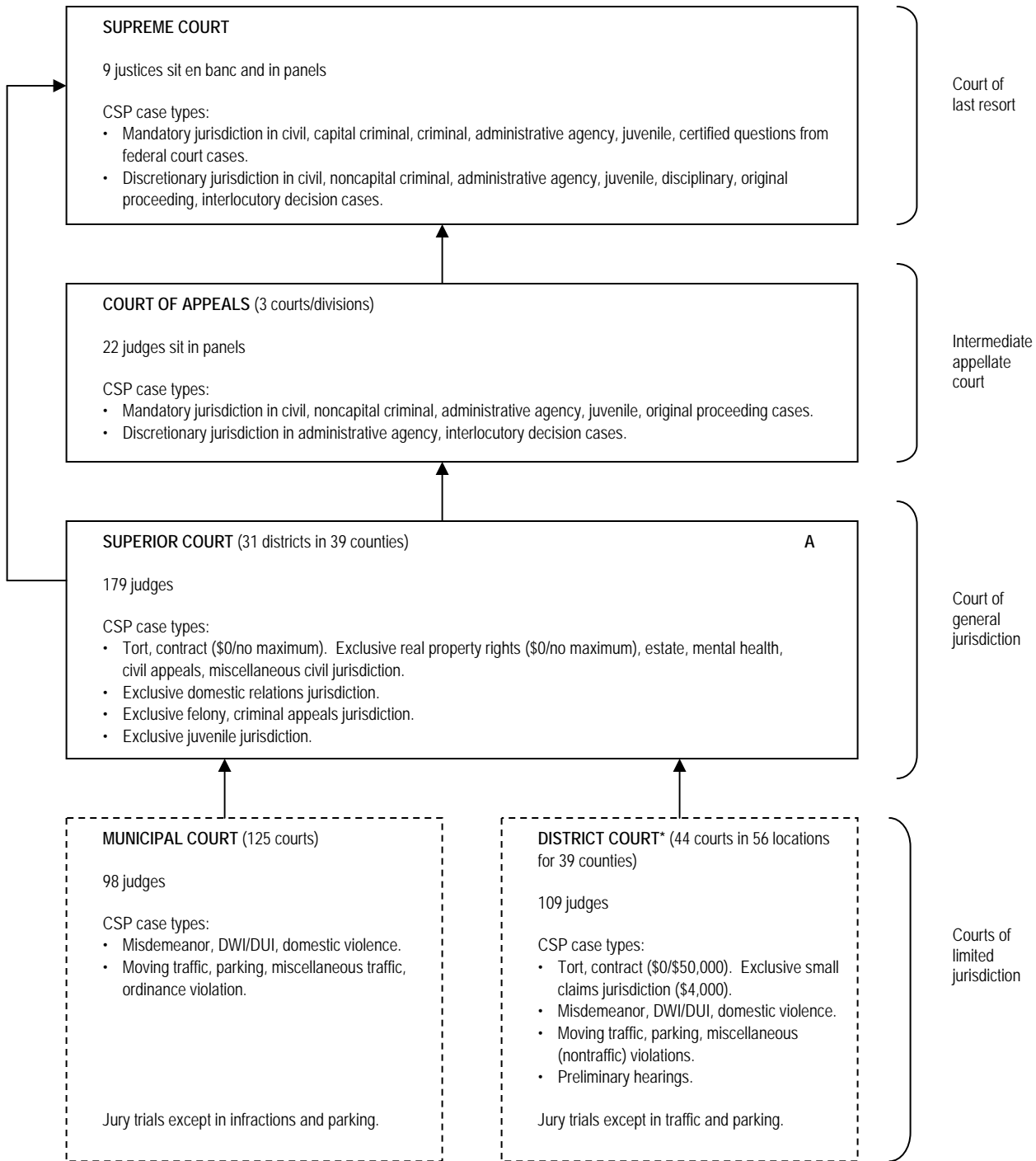
Note: An additional 28 assistant judges participate in findings of fact in Superior and Family Court cases. Some assistant judges, after special training, may hear small claims cases and traffic complaints, conduct criminal arraignments, and decide child support, parentage, and uncontested divorce proceedings. These assistant judges (who need not be attorneys) are elected to four-year terms by voters in Vermont's 14 counties.

VIRGINIA COURT STRUCTURE, 2004



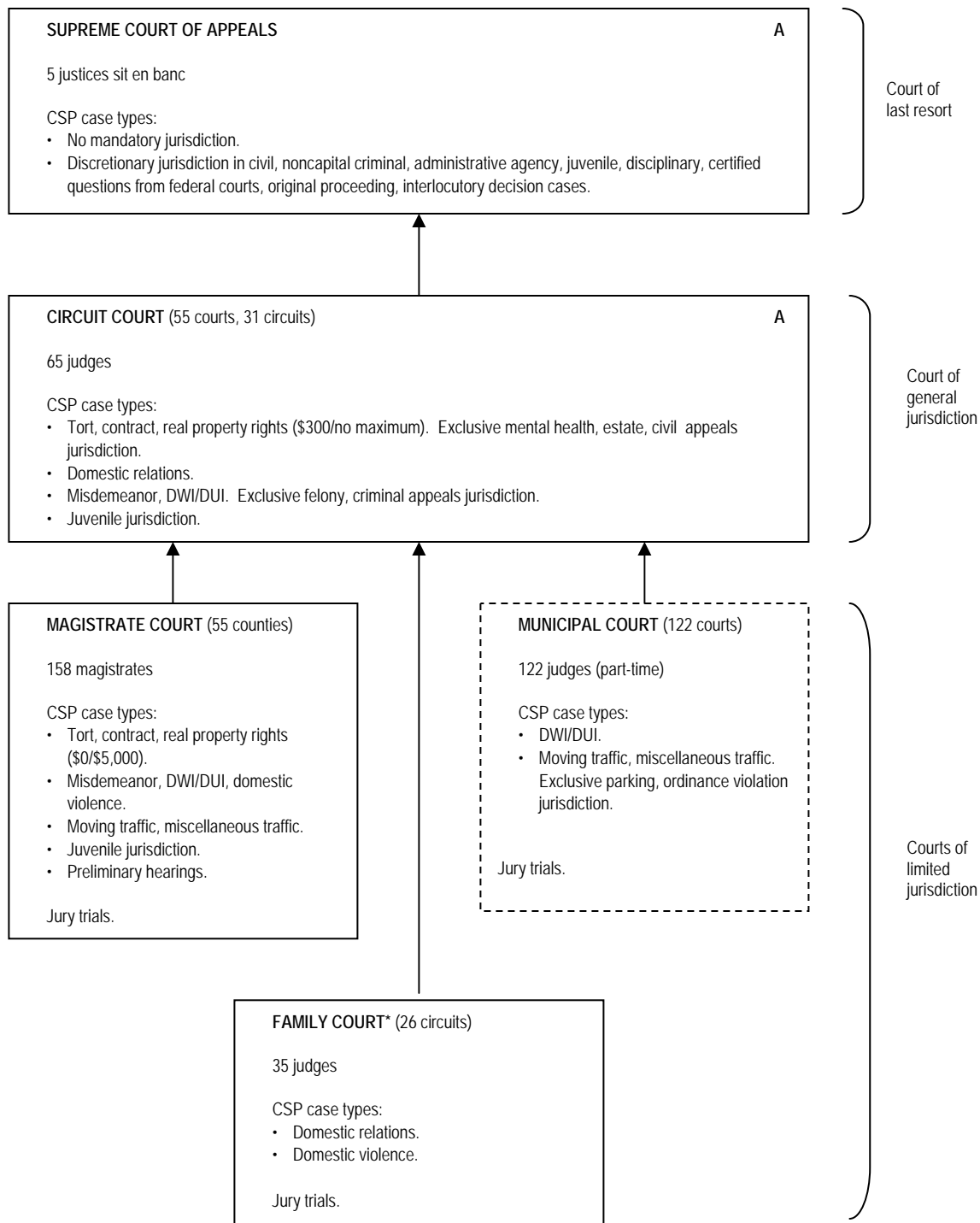
*The district court is referred to as the juvenile and domestic relations court when hearing juvenile and domestic relations cases and as the general district court for the balance of the cases.

WASHINGTON COURT STRUCTURE, 2004



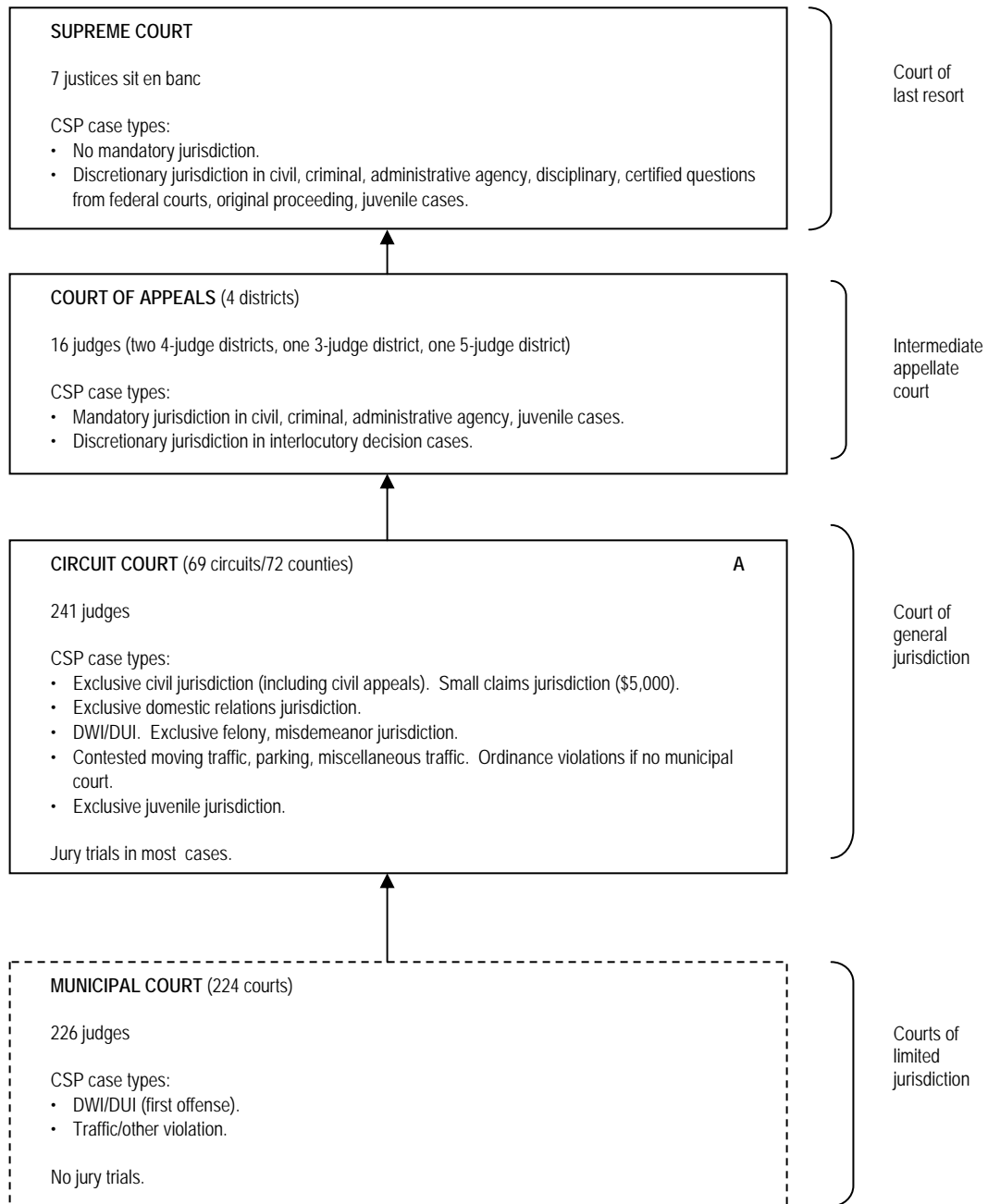
* District court provides services to municipalities that do not have a municipal court.

WEST VIRGINIA COURT STRUCTURE, 2004

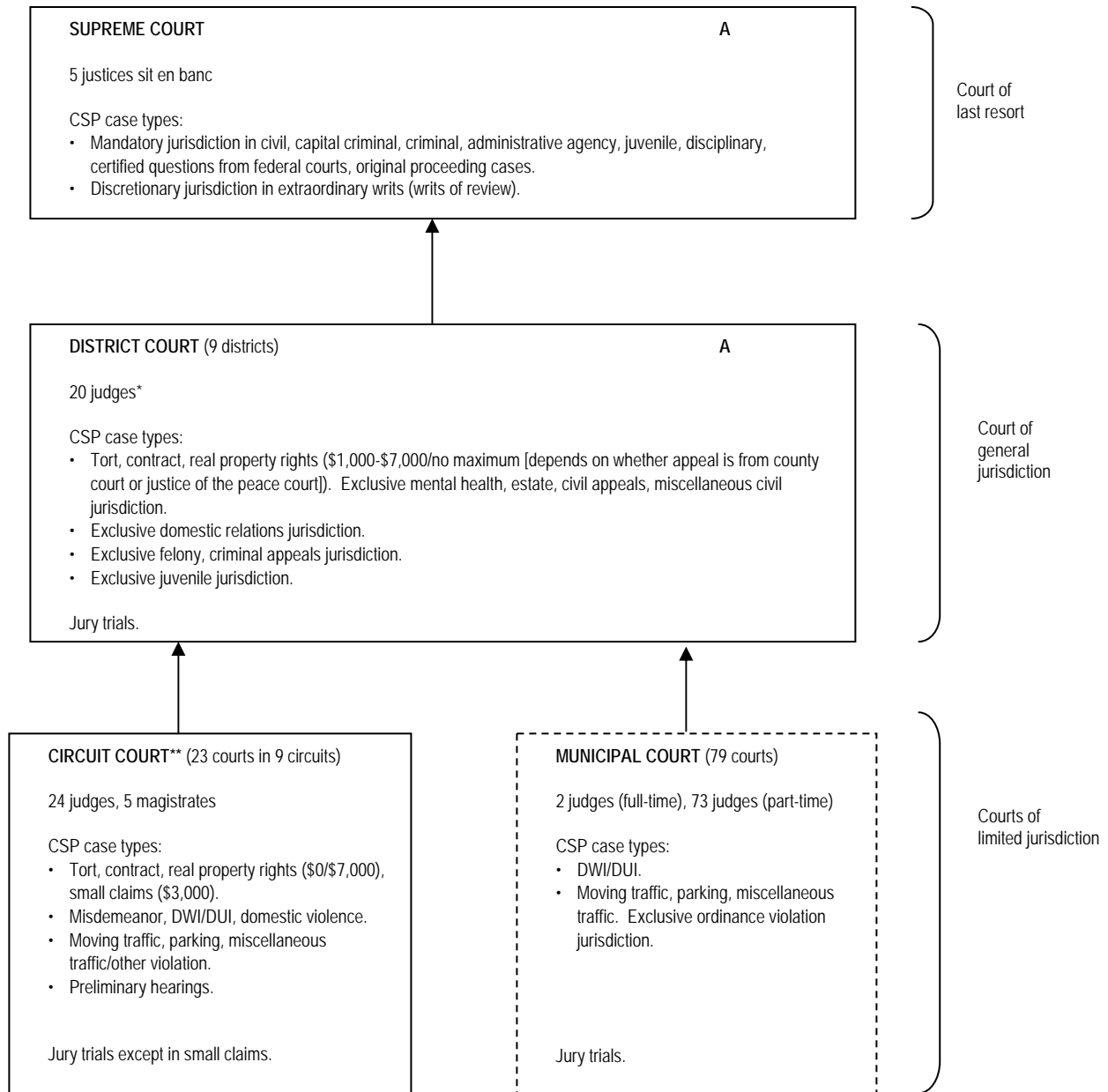


*The Family Court was created in 2002.

WISCONSIN COURT STRUCTURE, 2004



WYOMING COURT STRUCTURE, 2004



*The number of District Court judges increased to 21 in 2005.

** County Courts were renamed Circuit Courts and Justice of the Peace Courts were combined with the Circuit Courts in January 2003.