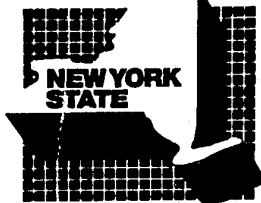


DIVISION OF  
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Office of Justice Systems Analysis

# RESEARCH NOTE

Bruce Frederick, Chief

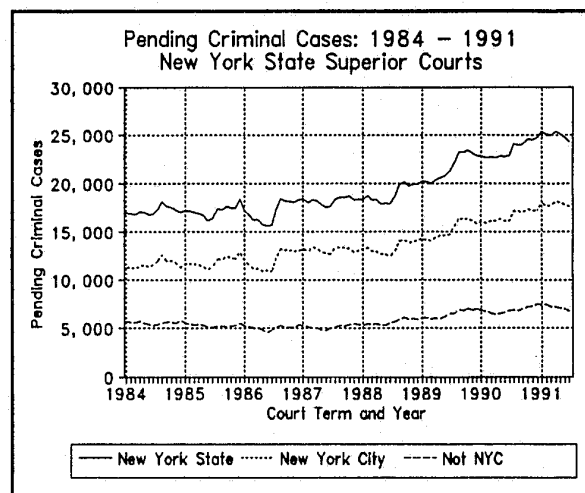
Bureau of Research and Evaluation

November 15, 1991

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## BACKLOGS AND PROCESSING TIME IN NEW YORK STATE'S SUPERIOR COURTS

134785



The recent growth in the Superior Court backlog has been assumed by some to reflect delays in case processing. However, by itself, the absolute number of pending cases is not a meaningful indicator of court performance. An alternative indicator, "terms of backlog," relates the number of pending cases to the courts' case processing capacity and more fairly represents the impact of increased workload. Trends in both the terms of backlog and average case processing time indicate clearly that Superior Court throughput has improved, not declined, since the early 1980s.

Prepared by:  
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## BACKLOGS AND PROCESSING TIME IN NEW YORK STATE'S SUPERIOR COURTS

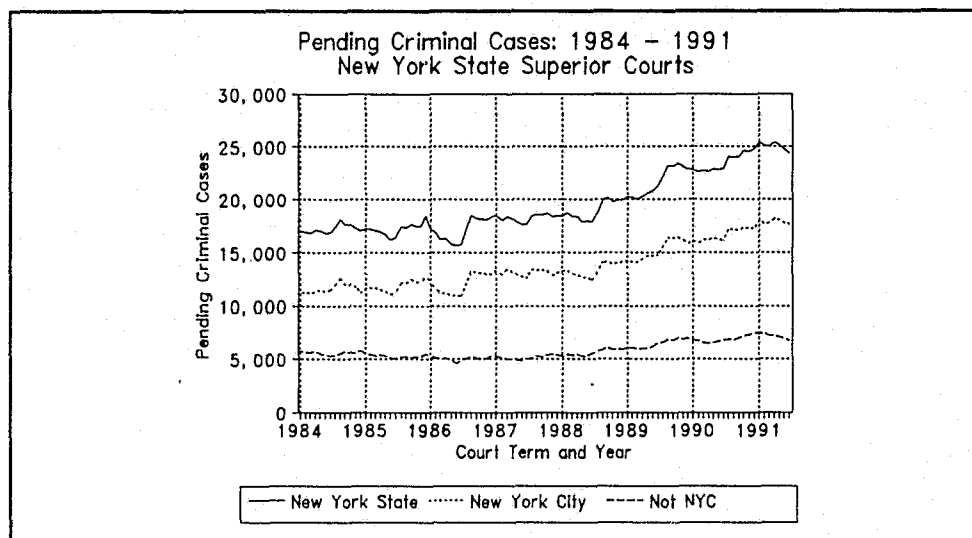
This Research Note describes trends in the volume and processing of criminal cases pending in New York State's Superior Courts. Several elements of case processing and some efficiency and performance measures that are germane to an understanding of the court backlog issue are discussed.

### Criminal Cases Pending Disposition

New York State Superior Courts process cases filed either through grand jury indictment or, more expeditiously, through Superior Court Informations (SCIs), which bypass the grand jury review process (usually as a consequence of plea bargain agreements). The majority of cases stem from felony arrests. Between 1984 and 1991, the average number of filings per term increased from 3,784 to 6,112<sup>1</sup>. Average dispositions per term have increased from 3,873 to 6,152 over the same period.

"Pending dispositions" are cases that have been filed but not yet disposed by conviction, acquittal, or dismissal, excluding periods when cases are not within the active management control of the court (e.g., warrants outstanding). The number of pending cases at the end of the court year increased from 17,045 in 1984 to 24,834 in 1990. Concern has been expressed about this increase, and there has been some debate about the likely causes and potential solutions.

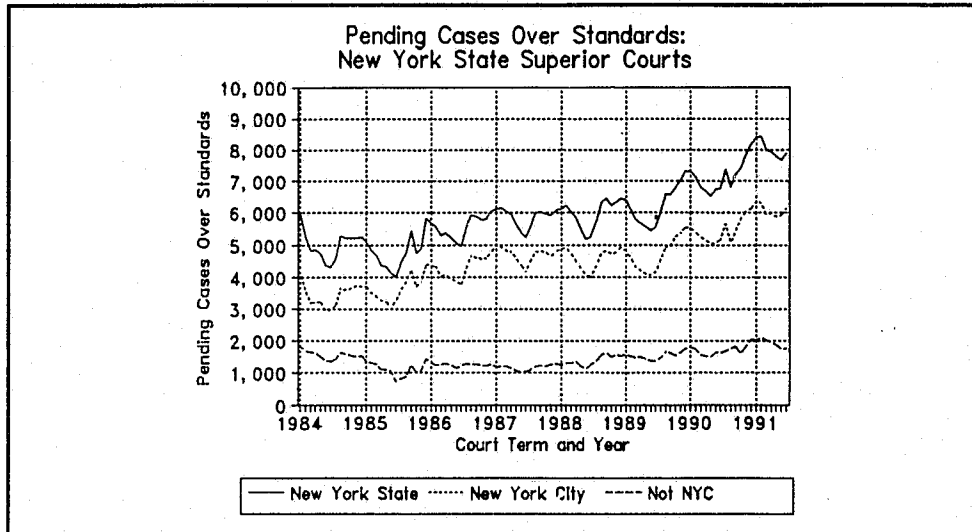
FIGURE 1



The number of pending dispositions in Superior Courts has been increasing since the beginning of 1988. Figure 1 shows that this phenomenon has been occurring both in New York City and elsewhere in the state.

The number of cases pending longer than six months<sup>2</sup> has also been increasing; New York City's increase started back in 1985 (see Figure 2; note that data from which figures are derived are provided in the Appendix).

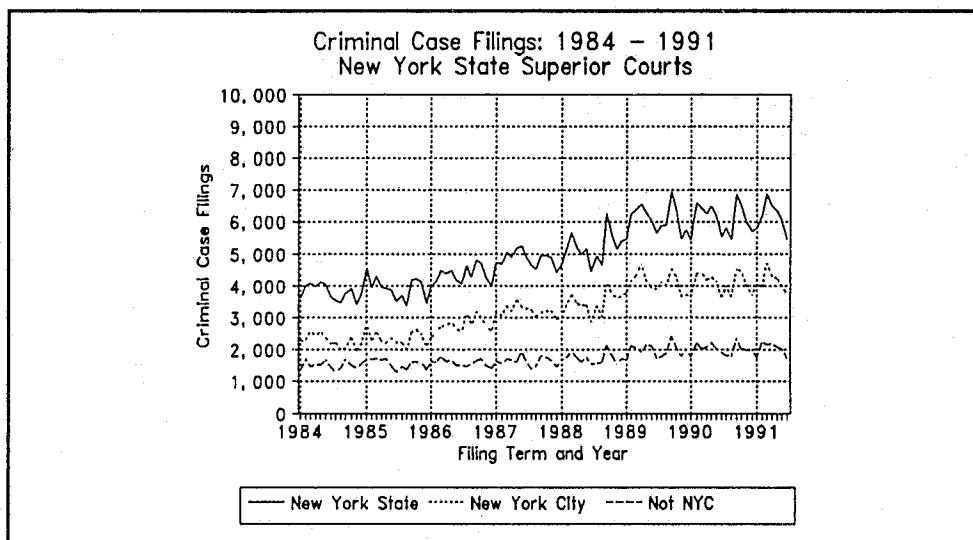
**FIGURE 2**



### Causes of Increasing "Backlogs"

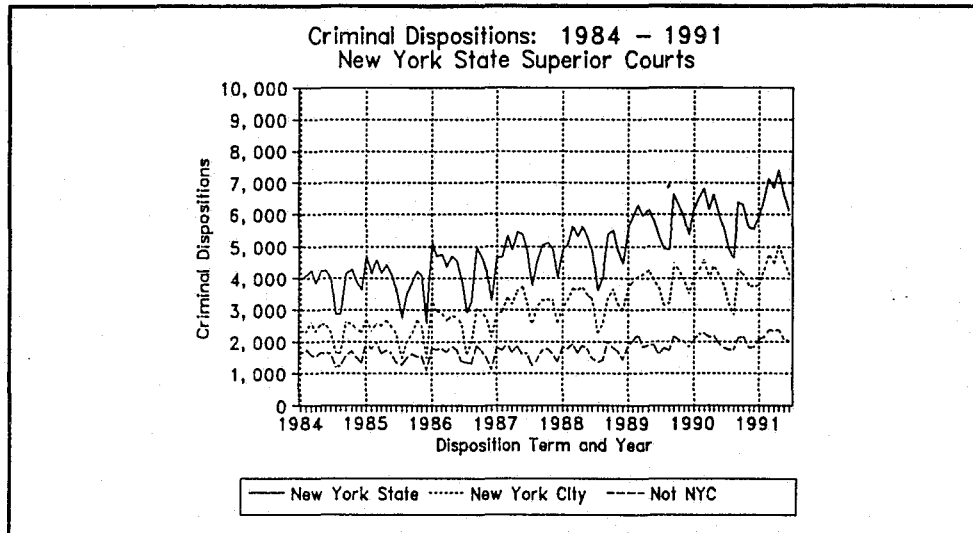
**Increased filings.** The increase in the number of pending dispositions can be attributed directly to the increase in filings over the period, without any further assumption about a deterioration in court processing times. Criminal case filings in New York State have increased 50 percent from the levels observed in 1984 to those in 1990 and 1991 (see Figure 3). The rise in filings was greater in New York City and less in the remaining parts of the state. It should be noted that filings have remained fairly stable since 1989.

**FIGURE 3**



As shown in Figure 4, criminal dispositions kept pace with this increase in filings. Under the assumption that there has been no change in the time it takes to process cases, there will always be the same proportion of cases still pending at a particular point in time for a specific filing cohort. Under the situation of rising filings that New York State has been experiencing, it is to be expected that the size of the pending caseload would increase, even if there were no changes in court processing times.

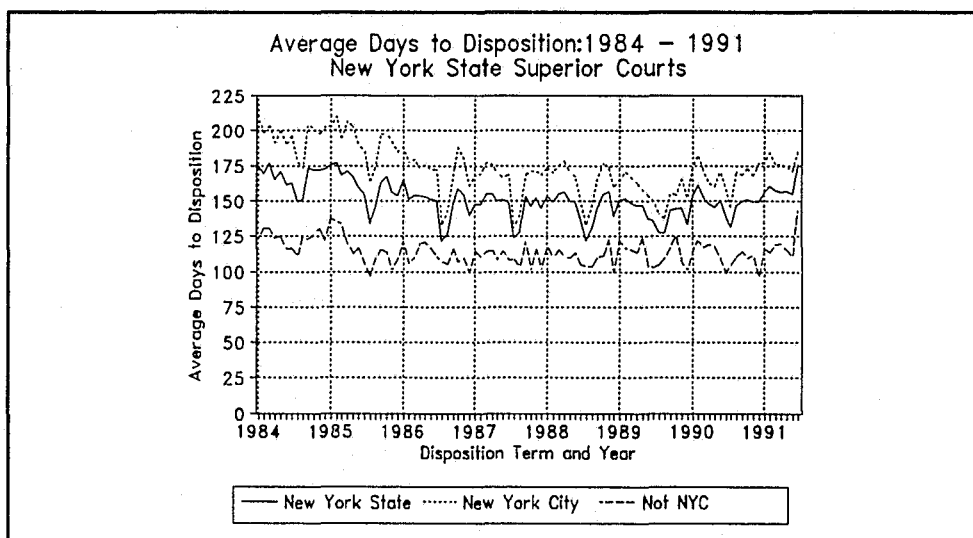
**FIGURE 4**



**Delays in court processing.** It has been suggested that the increase in pending cases has been the result of the system's inability to cope with the increase in filings. This school of thought assumes that delays in court processing have resulted from a system hindered by inadequate resources to deal with the increasing inputs. These delays are thus thought to be responsible for the increasing numbers of pending cases.

The data, however, do not support this argument. Figure 5 shows that the average time from filing to disposition has improved since 1984 and has been relatively stable from 1987 on. This has been true for both New York City and other areas of the state<sup>3</sup>. While these timing measures are based on disposition cohorts<sup>4</sup>, similar trends exist for filing cohorts. Without improvements in case processing efficiency, the increase in pending cases resulting from increased filings would have been even greater than the increases actually experienced.

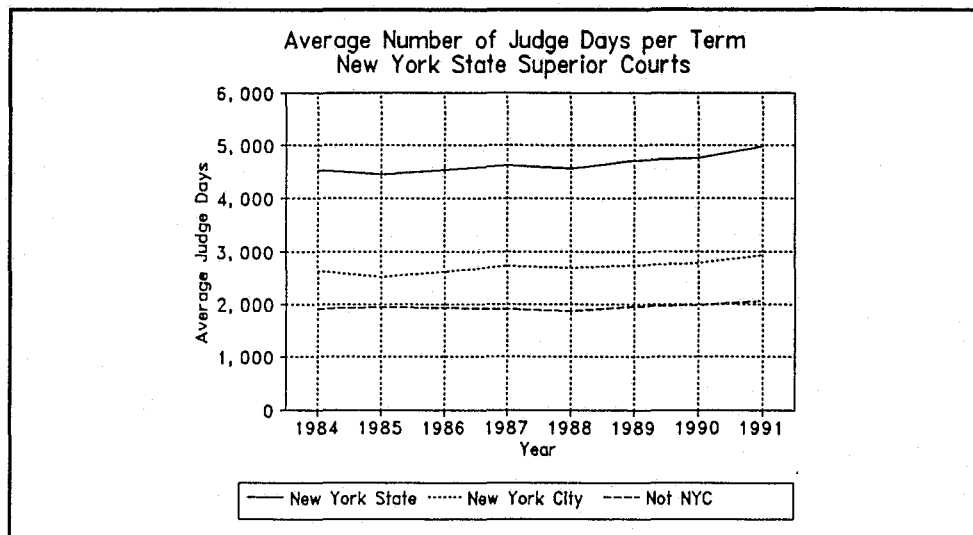
**FIGURE 5**



## Criminal Justice Responses to Increased Filings

**Increases in court resources.** Since 1988 there have been only modest increases in the number of judge days tallied during the average court term<sup>5</sup>. In 1988, statewide, there was an average of 4,557 judge days per term. For the last 13 terms ending in Term 7, 1991, this average had increased to 4,979 - a 9.2 percent increase. New York City judge days increased 8.9 percent and those elsewhere in the state increased 9.7 percent. See Figure 6 below. This modest increase is in contrast with the 50 percent increase in filings noted earlier.

FIGURE 6



**Changes in filing practices and the use of SCIs.** Besides increases in judge days, the system also attempted to deal with the increasing filings by changing filing practices for certain types of crime. New York City's increase in filings was due primarily to increasing drug arrests during the period. Special Part N drug courtrooms were implemented in April 1987 to help deal with these new filings. These court parts specialized in handling felony waiver cases, where pleas were entered through a Superior Court Information (SCI) rather than using the regular grand jury process. Since SCIs usually result in immediate guilty pleas, they require much shorter times to arrive at a disposition. Thus the increased use of SCIs helped keep the number of pending cases from increasing further.



The average days to disposition for New York City drug filings is shown in Figure 7. The times for drug indictments have ranged between 150 and 200 days over the last 5 years, while SCI filings typically take less than a week. Their use has reduced the overall processing time for drug filings by about 50 days.

**FIGURE 7**

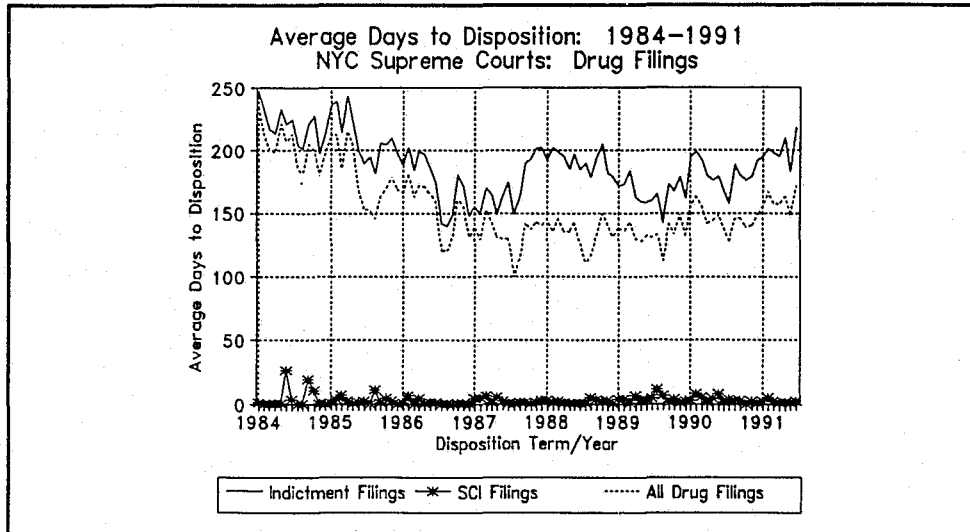


Figure 8 shows that SCI usage for drug filings was at its highest in 1987 and 1988. Usage dropped somewhat after that time, but remained at levels higher than pre-1987.

**FIGURE 8**

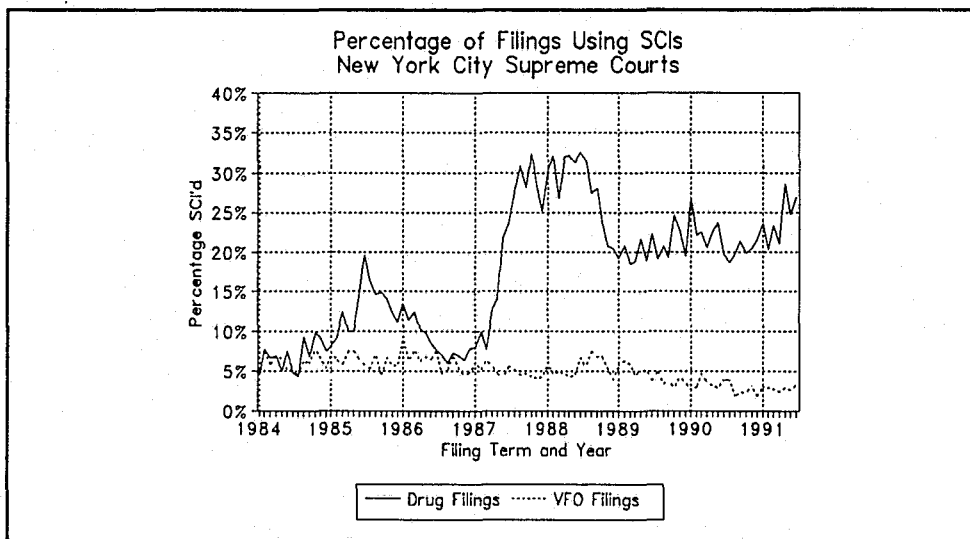
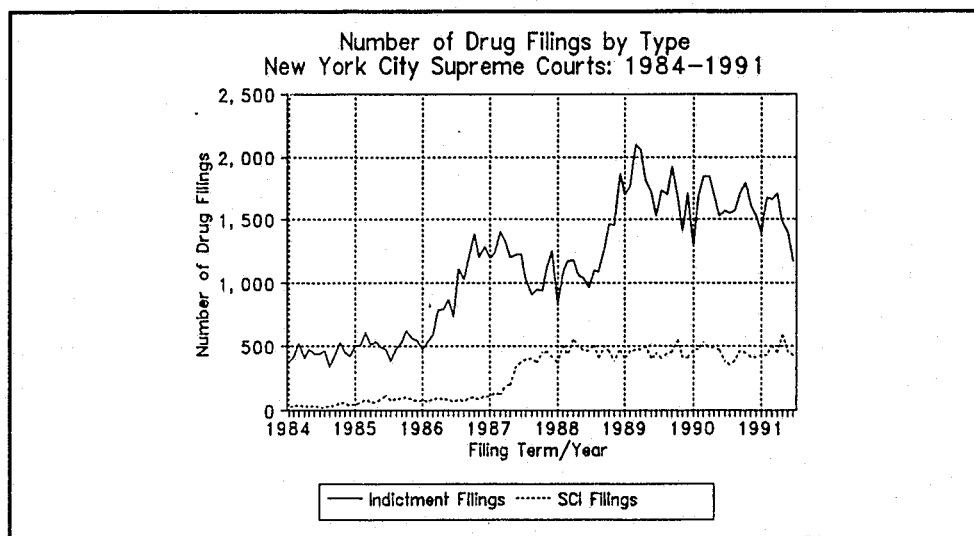


Figure 9 shows that the number of drug SCI filings has remained at a level of about 500 per term since 1988. It may be that increased resources for these special court parts could result in increased use of SCIs with a resulting net savings in court resources. It is also possible that additional suitable candidates for SCI treatment do not exist.

**FIGURE 9**



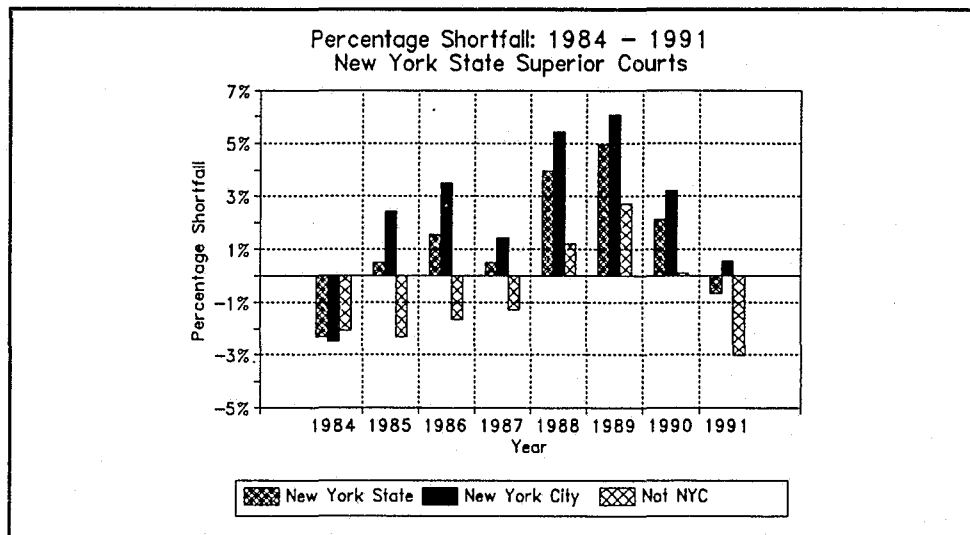
### Alternate Measures of Backlog And Productivity

Two recent articles on court backlogs have used different methods to represent the backlog. The first appeared in a recent Illinois Criminal Justice Authority's issue of the summer 1991 *Compiler*<sup>6</sup> and used a measure they called the percentage shortfall. The measure is calculated by taking the difference in filings and dispositions for a period (F-D) and expressing it as a percentage of the dispositions in that period. It measures the rate at which court backlogs are growing.

The second article appeared in a recent issue of the *New York Law Journal*<sup>7</sup>. In that article, backlog was measured in terms of the number of months it would take to dispose of the backlog if no further cases came into the system. This was calculated by dividing the number of pending cases at a particular point in time by the average number of cases that had been disposed of each month during the preceding year. Both methods are adopted here to convey information about the backlog of criminal dispositions in New York State.

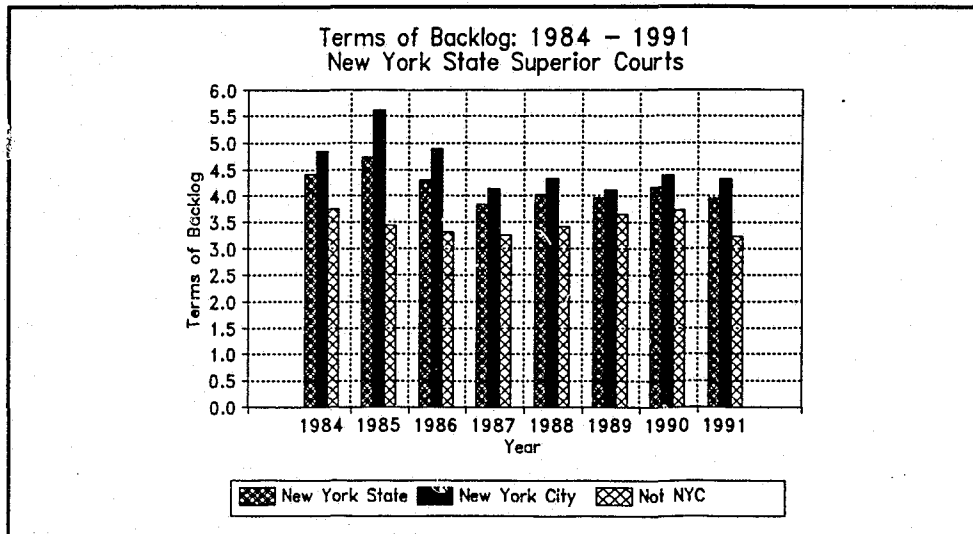
**Percentage shortfall.** This measure looks at the rate of backlog growth in each year. It ignores the accumulated amount of any pre-existing backlog. Figure 10 presents the percentage shortfall figures for New York State and for the separate areas consisting of New York City and Not New York City. It shows that filings have generally exceeded dispositions in a given year for both New York City and the state as a whole. This is to be expected, given the quickly rising rate of filings and the normal delay between filings and dispositions. Counties outside New York City did not experience more filings than dispositions until 1988. By 1991, after experiencing over two years of nearly stable filings, areas outside New York City have experienced a decline in the backlog. New York City has remained almost stable with filings only slightly exceeding dispositions. (It should be noted that the 1991 figures used here represent the 13 term experience for terms 8-13 of 1990 and terms 1-7 of 1991.)

**FIGURE 10**



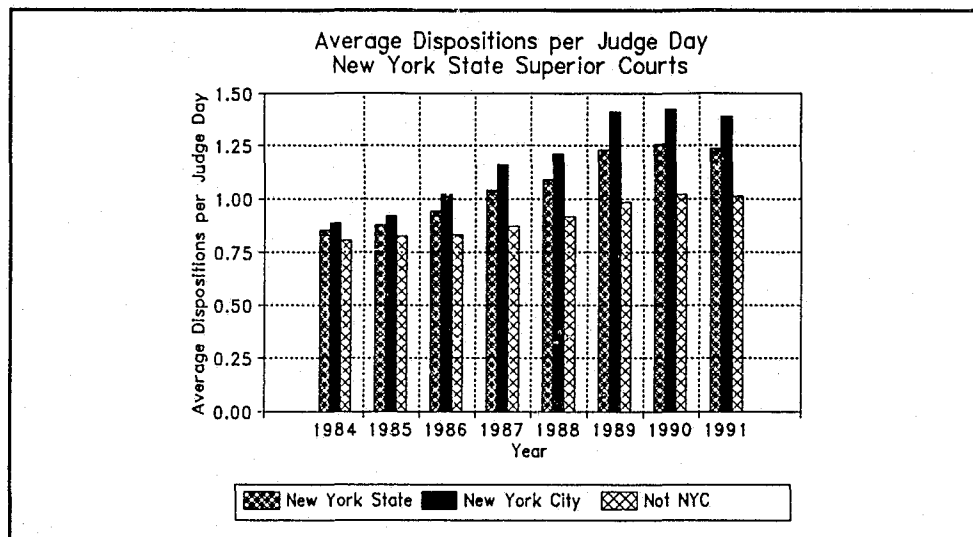
**Terms of backlog.** This measure indicates how long in court terms (13 terms to a year) it would take to get rid of the pending case backlog if no further cases were allowed into the system. Figure 11 presents this information for New York State Superior Courts' criminal case backlog. Each year's backlog measure is based on the backlog at the end of that year (at the end of term 7 for 1991) divided by the average number of cases disposed per term in that year. (For 1991 the average dispositions per term was based on terms 8-13 of 1990 and terms 1-7 of 1991.) It should be noted that the average number of dispositions per term increased each year. The "terms of backlog" in 1991 for New York State and for New York City are not that different from those experienced since 1987 and are an improvement over levels found for 1984 through 1986. The "terms of backlog" for courts outside New York City are at the lowest levels for the period under study.

**FIGURE 11**



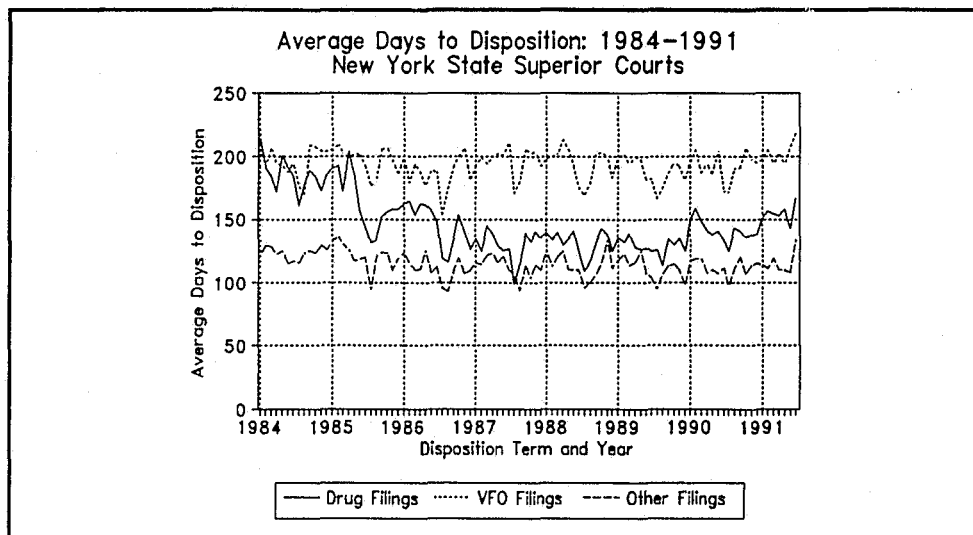
**Productivity of judges.** The above two measures have dealt with measuring the extent of backlog. Another useful measure is one that describes system productivity as average dispositions per judge day. Figure 12 shows that court productivity, as measured by dispositions per judge day, has remained at high levels since 1989. This has occurred for both New York City and for the other courts in the state. There is some evidence of a small drop in 1991 but that decline may be a function of the changing mix of cases mentioned earlier.

**FIGURE 12**



While it has been shown that rising filing levels have contributed to the number of pending cases, it has also been shown that changes in filing practices can lower the average processing time and have an influence on pending caseload. The increases in judge days obviously also assisted in preventing greater increases in the pending caseload. Another factor that needs to be considered is the changing nature of the filing mix in terms of type of crime and prior history of the defendant. Historically, VFO filings have taken longer to dispose of than other crimes. This is shown in Figure 13. In the near future, we may expect processing times to increase because of the changing mix of filings. For example, while felony indictments increased only 1.1 percent between 1989 and 1990, violent felony indictments rose 9.3 percent and felony drug indictments fell 7.6 percent. A greater proportion of cases with higher expected processing time will increase the average processing time.

FIGURE 13



Filings involving defendants having predicate offender status also typically take longer to arrive at a final disposition (data not shown). From work the Bureau has been doing in the area of prison population projections, it is clear that the system is faced with an increasing pool of persons with predicate offender status. This factor also may begin to push up processing times.

The use of SCIs interacts with the mix of crime types and predicate status, because prosecutors are more willing to offer plea bargains for some types of cases than for others. In addition, however, the use of SCIs can vary substantially from one time period to another and from one District Attorney's office to another, independent of case type. Changes in prosecutors' policies regarding the use of SCIs could have a critical impact on the ability of the courts to cope with the current volume of felony filings.

The analyses presented here pertain specifically to the **timeliness** of dispositions without considering the **quality** of dispositions. It is plausible that the quality of case dispositions has deteriorated under the press of drastically increased workload. For example, some of the findings of a recent study by the New York City Criminal Justice Agency (CJA) suggest that the large influx of crack cases in the mid-1980s, the resulting crisis atmosphere, relatively rigid prosecutorial policies, and other factors may have combined to prevent the system from differentiating adequately between drug cases in which incarceration is the most appropriate sentence and those in which drug treatment or some other alternative may be more appropriate<sup>8</sup>. The same study also suggests that there may have been an indirect impact on misdemeanor processing.

## ENDNOTES

1. Data for this report were compiled from two sources: (1) the Division of Criminal Justice Services Indictment Statistical System (ISS) and (2) the Office of Court Administration Caseload Activity Reports (CARS).
2. According to the Standards and Goals of the Chief Administrator of the Courts, the applicable standard for felony cases is disposition within six months from filing of indictment, excluding periods when a case is not within the active management control of the court (e.g., warrant outstanding).
3. A previous Research Note provides further discussion on this topic: Vincent Manti, "Felony Case Processing Time," July, 1988.
4. A disposition cohort is defined by cases disposed of in the same time interval, regardless of the date they were filed. A filing cohort would consist of cases filed in the same time interval, regardless of the date they were disposed.
5. A judge day is defined as a day, full or partial, in which a judge spends any time on case processing. Productivity could be improved in a number of ways (additional time spent per day, more efficient filing (SCI) of cases, and so forth) without changing the judge day count.
6. Hickey, M., and E. Kennedy. 1991. "Mixed News on Backlog." Illinois Criminal Justice Authority's newsletter, The Compiler. Summer, 1991.
7. Adams, E.A. 1991. "2 1/2 Year Backlog of Civil Cases," New York Law Journal. August 5, 1991.
8. Belenko, S., G. Nickerson, and T. Rubenstein. 1990. Crack and the New York Courts: A Study of Judicial Responses and Attitudes. New York: New York City Criminal Justice Agency.

TABLE 1  
CRIMINAL CASE PROCESSING  
NEW YORK STATE SUPERIOR COURTS

YEAR AND TERM	NYS	FILINGS		DISPOSITIONS			PENDING DISPOS			PENDING OVER S & G			
		NYC	Not NYC	NYS	NYC	Not NYC	NYS	NYC	Not NYC	NYS	NYC	Not NYC	
1984	1	3603	2239	1364	3979	2353	1626	16988	11267	5721	5983	4152	1831
	2	4021	2331	1690	4071	2323	1748	16885	11277	5608	5263	3564	1699
	3	4079	2606	1473	4238	2630	1608	16766	11168	5598	4828	3189	1639
	4	3966	2407	1559	3836	2329	1507	17097	11364	5733	4853	3219	1634
	5	4093	2569	1524	4228	2545	1683	17053	11523	5530	4714	3217	1497
	6	4037	2364	1673	4227	2550	1677	16749	11340	5409	4392	2984	1408
	7	3632	2173	1459	4003	2345	1658	16797	11535	5262	4309	2959	1350
	8	3529	2226	1303	2888	1672	1216	17372	11960	5412	4594	3136	1458
	9	3468	2035	1433	2896	1638	1258	18153	12585	5568	5266	3650	1616
	10	3747	2049	1698	4153	2614	1539	17641	11972	5669	5219	3612	1607
	11	3897	2389	1508	4276	2569	1707	17583	11977	5606	5206	3658	1548
	12	3399	1989	1410	3914	2405	1509	17244	11709	5535	5213	3718	1495
	13	3720	2152	1568	3645	2306	1339	17045	11262	5783	5253	3714	1539
1985	1	4561	2866	1695	4694	2706	1988	17244	11672	5572	5100	3712	1388
	2	3933	2246	1687	4140	2349	1791	17127	11625	5502	4829	3506	1323
	3	4312	2594	1718	4578	2574	2004	17028	11668	5360	4678	3406	1272
	4	3956	2276	1680	4164	2506	1658	16903	11522	5381	4379	3272	1107
	5	3914	2209	1705	4434	2699	1735	16708	11370	5338	4317	3214	1103
	6	3864	2360	1504	4138	2484	1654	16162	11064	5098	4142	3075	1067
	7	3516	2225	1291	3638	2270	1368	16394	11294	5100	3991	3239	752
	8	3690	2222	1468	2757	1479	1278	17409	12197	5212	4499	3666	833
	9	3344	1986	1358	3490	2011	1479	17307	12122	5185	4748	3855	893
	10	4168	2558	1610	3855	2235	1620	17617	12474	5143	5449	4212	1237
	11	4219	2612	1607	4222	2683	1539	17466	12235	5231	4742	3706	1036
	12	4108	2483	1625	4077	2513	1564	17495	12206	5289	4908	3866	1042
	13	3449	2091	1358	2603	1495	1108	18450	12936	5514	5829	4390	1439
1986	1	3972	2357	1615	5118	3310	1808	17225	12022	5203	5703	4378	1325
	2	4135	2534	1601	4711	2943	1768	16739	11600	5139	5567	4319	1248
	3	4491	2703	1788	4750	2937	1813	16218	11197	5021	5306	4024	1282
	4	4377	2746	1631	4377	2693	1684	16306	11208	5098	5379	4081	1298
	5	4482	2837	1645	4694	2831	1863	15791	10889	4902	5205	3956	1249
	6	4175	2661	1514	4516	2785	1731	15623	10982	4641	5054	3889	1165
	7	4064	2541	1523	3967	2581	1386	15711	10837	4874	4956	3739	1217
	8	4623	3153	1470	2931	1578	1353	17282	12217	5065	5563	4274	1289
	9	4289	2739	1550	3269	1951	1318	18456	13166	5290	5945	4667	1278
	10	4811	3167	1644	4976	3089	1887	18187	13126	5061	5888	4613	1275
	11	4711	2994	1717	4664	2959	1705	18162	13059	5103	5791	4559	1232
	12	4237	2742	1495	4225	2733	1492	18073	12965	5108	5818	4600	1218
	13	3989	2584	1405	3299	2168	1131	18323	12984	5339	6054	4783	1271
1987	1	4721	3100	1621	4667	2838	1829	18501	13215	5286	6131	4958	1173
	2	4687	3096	1591	4687	2949	1738	18053	12890	5163	6155	4948	1207
	3	5064	3356	1708	5323	3393	1930	18337	13349	4988	6022	4821	1201
	4	4875	3199	1676	4899	3202	1697	18245	13206	5039	5964	4799	1165
	5	5169	3562	1607	5457	3598	1859	17803	12922	4881	5658	4585	1073
	6	5249	3322	1927	5371	3735	1636	17539	12731	4808	5384	4376	1008
	7	4880	3283	1597	4866	3208	1658	17641	12642	4999	5243	4199	1044
	8	4628	3236	1392	3777	2525	1252	18430	13369	5061	5619	4519	1100
	9	4515	3030	1485	4498	3092	1406	18523	13276	5247	6002	4797	1205
	10	4948	3143	1805	5027	3316	1711	18528	13337	5191	6028	4804	1224
	11	4939	3186	1753	5117	3332	1785	18669	13257	5412	5967	4761	1206
	12	4851	3203	1648	4948	3289	1659	18340	12861	5479	5943	4662	1281
	13	4410	2948	1462	3993	2608	1385	18449	13051	5398	6091	4807	1284

TABLE 1

CRIMINAL CASE PROCESSING  
NEW YORK STATE SUPERIOR COURTS

YEAR AND TERM	NYS	FILINGS		DISPOSITIONS			PENDING DISPOS			PENDING OVER S & G			
		NYC	Not NYC	NYS	NYC	Not NYC	NYS	NYC	Not NYC	NYS	NYC	Not NYC	
1988	1	4684	3006	1678	4928	3074	1854	18421	13169	5252	6145	4894	1251
	2	5128	3376	1752	5065	3292	1773	18753	13298	5455	6229	4912	1317
	3	5656	3720	1936	5629	3683	1946	18371	12991	5380	6038	4727	1311
	4	5218	3449	1769	5327	3646	1681	18375	12914	5461	5838	4485	1353
	5	4985	3374	1611	5624	3726	1898	17917	12657	5260	5489	4275	1214
	6	5134	3376	1758	5257	3470	1787	17980	12640	5340	5193	4057	1136
	7	4431	2862	1569	4856	3358	1498	17914	12354	5560	5247	3987	1260
	8	4932	3349	1583	3622	2268	1354	18769	13020	5749	5742	4350	1392
	9	4637	3034	1603	4059	2617	1442	19932	14066	5866	6329	4776	1553
	10	6254	4119	2135	5383	3377	2006	20240	14125	6115	6479	4820	1659
	11	5580	3746	1834	5499	3665	1834	19741	13888	5853	6218	4722	1496
	12	5150	3585	1565	4909	3201	1708	19963	13976	5987	6329	4772	1557
	13	5383	3672	1711	4449	2995	1454	19947	14095	5852	6469	4941	1528
1989	1	5478	3805	1673	5580	3697	1883	20298	14234	6064	6400	4818	1582
	2	6248	4144	2104	5922	3894	2028	20177	14127	6050	6116	4604	1512
	3	6379	4336	2043	6298	4055	2243	19989	14033	5956	5789	4325	1464
	4	6561	4649	1912	5964	4121	1843	20344	14366	5978	5702	4215	1487
	5	6272	4126	2146	6166	4248	1918	20623	14632	5991	5569	4112	1457
	6	6038	3926	2112	5827	3923	1904	20836	14623	6213	5462	4087	1375
	7	5632	3889	1743	5313	3698	1615	21239	14709	6530	5557	4169	1388
	8	5874	4099	1775	4953	3155	1798	22075	15526	6549	6035	4556	1479
	9	5888	4007	1881	4925	3208	1717	23188	16347	6841	6608	4940	1668
	10	6943	4519	2424	6659	4478	2181	23186	16369	6817	6591	4969	1622
	11	6397	4315	2082	6283	4226	2057	23406	16393	7013	6809	5262	1547
	12	5472	3671	1801	5922	3923	1999	23048	16151	6897	7039	5389	1650
	13	5735	3708	2027	5389	3531	1858	22840	15828	7012	7303	5545	1758
1990	1	5434	3652	1782	6133	4062	2071	22815	16031	6784	7316	5517	1799
	2	6582	4368	2214	6528	4285	2243	22685	15917	6768	7123	5401	1731
	3	6434	4403	2031	6835	4561	2274	22708	16138	6570	6807	5239	1568
	4	6246	4160	2086	6181	4015	2166	22675	16171	6504	6685	5169	1516
	5	6490	4272	2218	6638	4437	2201	22884	16370	6514	6529	5037	1492
	6	6178	4130	2048	6069	4109	1960	22828	16167	6661	6745	5088	1657
	7	5534	3610	1924	5652	3822	1830	22931	16117	6814	6787	5156	1631
	8	5806	3981	1825	4961	3199	1762	24030	17133	6897	7373	5681	1692
	9	5464	3655	1809	4654	2894	1760	24006	17172	6834	6829	5075	1754
	10	6849	4504	2345	6413	4278	2135	24041	17025	7016	7226	5410	1816
	11	6520	4482	2038	6310	4121	2189	24568	17385	7183	7421	5806	1615
	12	5967	3981	1986	5599	3765	1834	24508	17223	7285	7892	6052	1840
	13	5691	3707	1984	5572	3727	1845	24834	17295	7539	8179	6134	2045
1991	1	5805	4051	1754	5890	3796	2094	25419	17988	7431	8387	6368	2019
	2	6191	3951	2240	6410	4245	2165	25070	17614	7456	8426	6317	2109
	3	6862	4708	2154	7144	4768	2376	24982	17760	7222	7988	5961	2027
	4	6492	4310	2182	6839	4483	2356	25361	18177	7184	7932	5978	1954
	5	6318	4221	2097	7406	5036	2370	25141	18066	7075	7781	5892	1889
	6	6024	3998	2026	6641	4547	2094	24775	17782	6993	7661	5930	1731



TABLE 2

AVERAGE NUMBER OF DAYS TO DISPOSITION  
NEW YORK STATE SUPERIOR COURTS  
(BASED ON DISPOSITION TERM)

YEAR AND TERM	NEW YORK STATE	NEW YORK CITY	Not NEW YORK CITY	
1984	1	174.6	208.2	123.4
	2	169.5	198.5	130.5
	3	177.0	204.1	130.9
	4	165.0	191.3	123.9
	5	171.0	200.0	125.2
	6	161.3	190.0	116.4
	7	163.0	196.4	116.8
	8	149.7	177.7	111.1
	9	151.6	173.6	124.1
	10	173.3	205.2	123.2
	11	172.2	200.1	126.4
	12	171.9	197.9	130.3
	13	172.7	202.3	122.4
1985	1	176.0	203.3	137.6
	2	177.1	209.8	135.5
	3	168.4	193.5	134.4
	4	171.2	206.3	121.0
	5	166.8	202.5	112.5
	6	159.7	189.4	117.0
	7	154.8	186.2	106.2
	8	134.4	163.1	96.5
	9	146.1	174.3	109.2
	10	162.9	197.4	115.5
	11	167.4	197.7	113.7
	12	156.8	192.6	101.2
	13	153.5	184.7	108.6
1986	1	164.9	188.5	121.7
	2	151.7	177.5	106.5
	3	154.0	179.3	110.5
	4	153.8	173.7	119.6
	5	152.9	175.9	121.0
	6	151.4	171.9	116.8
	7	150.5	172.5	110.8
	8	121.9	133.3	107.1
	9	126.9	142.0	105.3
	10	148.9	168.5	116.6
	11	158.6	188.3	106.8
	12	154.6	179.8	109.9
	13	140.1	160.4	99.4
1987	1	147.6	167.9	114.5
	2	147.4	169.4	110.9
	3	155.0	177.4	114.1
	4	155.1	176.2	115.2
	5	150.1	170.2	108.2
	6	151.0	166.4	114.6
	7	149.1	169.0	108.5
	8	123.5	131.0	108.9
	9	128.1	139.8	103.5
	10	153.2	168.9	121.2
	11	146.6	170.8	101.3
	12	152.8	170.9	116.0
	13	145.3	168.9	101.7

TABLE 2

AVERAGE NUMBER OF DAYS TO DISPOSITION  
NEW YORK STATE SUPERIOR COURTS  
(BASED ON DISPOSITION TERM)

(continued)

YEAR AND TERM	NEW YORK STATE	NEW YORK CITY	Not NEW YORK CITY	
1988	1	153.6	174.0	118.4
	2	149.0	169.8	109.9
	3	154.9	175.7	115.7
	4	156.5	178.4	111.0
	5	149.9	170.2	109.8
	6	149.2	167.7	113.1
	7	137.4	151.7	105.3
	8	122.3	133.4	103.8
	9	131.4	147.2	103.9
	10	145.2	165.5	110.5
	11	154.8	176.6	111.1
	12	156.9	174.5	122.7
	13	139.4	160.1	99.3
1989	1	150.6	164.5	122.5
	2	152.2	170.7	116.9
	3	148.4	167.2	115.5
	4	147.1	162.9	113.3
	5	147.1	157.9	123.9
	6	137.5	154.0	103.8
	7	135.7	150.2	102.9
	8	127.9	141.3	105.1
	9	127.9	137.5	109.9
	10	143.5	156.3	117.9
	11	144.6	153.9	126.0
	12	145.3	165.7	106.1
	13	133.9	151.7	101.5
1990	1	153.8	174.2	115.4
	2	161.4	182.2	122.0
	3	152.7	170.3	117.8
	4	147.7	162.7	119.2
	5	145.8	160.1	117.5
	6	150.7	171.1	108.6
	7	138.9	158.0	98.8
	8	131.5	146.0	104.9
	9	147.3	170.4	110.9
	10	150.3	168.4	114.3
	11	151.0	173.1	110.0
	12	149.7	167.8	111.8
	13	149.6	176.5	97.0
1991	1	156.0	177.0	116.6
	2	160.4	184.5	113.0
	3	157.6	176.2	119.4
	4	156.8	176.0	119.5
	5	157.1	174.4	115.0
	6	155.0	170.8	110.9

TABLE 3

PERCENT OF FILINGS PROCESSED THROUGH SCIS  
NEW YORK STATE SUPERIOR COURTS

YEAR AND TERM	TOTAL			DRUG			VFO			OTHER			
	NYS	NYC	NOT NYC	NYS	NYC	NOT NYC	NYS	NYC	NOT NYC	NYS	NYC	NOT NYC	
1984	1	19.7%	9.4%	36.2%	11.0%	4.5%	35.2%	11.1%	7.3%	22.1%	35.7%	20.0%	44.9%
	2	18.5%	9.8%	30.8%	13.4%	7.8%	29.9%	12.1%	7.4%	24.2%	28.2%	17.3%	34.4%
	3	16.2%	8.5%	29.7%	10.5%	6.6%	23.3%	9.8%	5.8%	22.7%	27.2%	16.6%	34.4%
	4	17.1%	9.4%	29.4%	11.4%	6.8%	22.0%	10.9%	7.0%	22.8%	27.4%	16.8%	34.6%
	5	16.7%	8.0%	30.9%	11.9%	5.0%	38.1%	11.0%	6.5%	23.4%	25.9%	13.9%	34.2%
	6	18.1%	8.7%	32.5%	13.8%	7.6%	33.3%	10.6%	5.3%	24.3%	28.4%	16.3%	36.7%
	7	18.2%	8.3%	33.6%	11.8%	4.8%	33.8%	9.8%	5.0%	22.5%	29.8%	17.0%	39.2%
	8	15.3%	7.1%	28.8%	10.7%	4.3%	34.4%	8.2%	4.4%	18.9%	25.6%	15.0%	33.0%
	9	15.5%	8.7%	25.7%	12.5%	9.3%	21.0%	9.2%	6.2%	17.4%	24.4%	14.0%	30.9%
	10	17.5%	9.0%	28.9%	11.2%	6.8%	23.7%	10.0%	6.1%	19.8%	27.5%	16.5%	34.1%
	11	18.9%	12.1%	29.4%	12.9%	9.9%	22.6%	13.2%	7.9%	27.2%	29.1%	24.3%	32.1%
	12	18.5%	10.4%	30.1%	12.7%	9.1%	23.1%	12.3%	6.5%	27.2%	28.3%	20.2%	33.0%
	13	16.8%	8.8%	28.2%	12.0%	7.4%	24.7%	9.1%	5.5%	19.9%	27.4%	18.0%	32.4%
1985	1	19.6%	11.3%	32.9%	11.5%	8.2%	29.1%	13.1%	7.3%	27.6%	32.0%	24.4%	36.4%
	2	18.4%	9.7%	30.7%	12.6%	9.1%	24.7%	11.7%	6.4%	23.6%	28.2%	16.5%	35.5%
	3	18.4%	10.5%	29.0%	15.4%	12.4%	27.5%	10.7%	5.8%	23.3%	27.3%	18.4%	31.5%
	4	20.2%	11.1%	32.6%	11.9%	9.8%	19.4%	12.5%	7.5%	23.8%	31.8%	19.1%	38.9%
	5	19.2%	10.9%	31.3%	14.0%	10.0%	23.6%	11.6%	7.6%	22.6%	30.4%	18.8%	37.4%
	6	21.0%	12.7%	32.9%	18.7%	14.9%	31.1%	11.2%	6.5%	23.6%	31.6%	22.2%	37.1%
	7	19.1%	12.1%	30.8%	19.9%	19.6%	20.9%	10.2%	5.7%	22.6%	29.1%	17.5%	37.4%
	8	18.2%	9.8%	32.2%	21.5%	16.4%	38.8%	8.7%	5.3%	20.2%	27.7%	14.6%	36.3%
	9	18.5%	11.3%	29.9%	16.1%	14.6%	20.8%	11.5%	7.2%	24.3%	27.2%	16.1%	34.1%
	10	19.5%	10.1%	33.8%	18.4%	14.8%	31.3%	10.6%	4.4%	25.9%	30.8%	17.4%	38.6%
	11	17.4%	11.0%	27.7%	15.7%	14.1%	20.1%	11.2%	6.6%	24.6%	25.2%	16.8%	31.0%
	12	19.5%	10.1%	34.8%	15.5%	12.2%	31.5%	10.8%	5.7%	24.2%	31.7%	17.3%	41.0%
	13	16.4%	9.1%	28.3%	13.9%	11.1%	23.4%	10.0%	5.8%	22.2%	24.6%	13.9%	32.1%
1986	1	20.5%	12.3%	33.5%	15.0%	13.5%	20.9%	13.4%	9.3%	24.5%	31.3%	17.4%	40.1%
	2	20.5%	10.4%	36.7%	15.9%	11.4%	32.9%	11.0%	6.2%	24.2%	33.2%	18.0%	43.6%
	3	19.3%	10.6%	31.6%	15.4%	12.5%	27.4%	11.4%	7.6%	20.9%	28.5%	14.1%	36.6%
	4	18.6%	10.4%	33.1%	13.3%	10.3%	30.8%	10.6%	6.2%	23.3%	29.9%	18.4%	37.7%
	5	20.2%	9.7%	38.2%	13.0%	9.7%	27.9%	12.2%	6.8%	28.4%	33.0%	15.3%	44.3%
	6	18.0%	9.2%	34.6%	11.4%	8.5%	24.6%	11.1%	6.4%	24.7%	30.0%	15.1%	41.4%
	7	18.6%	9.8%	32.8%	12.4%	7.6%	32.1%	12.4%	7.6%	25.1%	28.9%	16.9%	36.5%
	8	16.3%	8.0%	34.4%	10.3%	6.9%	28.1%	8.8%	4.6%	23.2%	29.2%	15.4%	40.7%
	9	14.6%	8.6%	26.7%	8.3%	6.0%	23.4%	9.4%	5.2%	21.4%	25.0%	18.7%	29.8%
	10	18.0%	8.5%	36.3%	9.7%	7.3%	21.1%	13.2%	6.9%	28.3%	30.9%	13.0%	44.9%
	11	16.0%	7.5%	32.1%	9.0%	6.9%	18.8%	10.4%	5.3%	23.3%	29.5%	13.0%	40.6%
	12	16.2%	7.2%	33.3%	9.9%	6.4%	28.8%	10.1%	4.4%	23.0%	29.5%	14.1%	40.4%
	13	15.8%	8.0%	29.8%	9.9%	7.8%	20.6%	10.7%	4.8%	26.1%	26.8%	14.7%	34.0%
1987	1	16.9%	8.5%	34.8%	10.8%	8.0%	28.1%	10.6%	5.9%	23.3%	29.9%	13.8%	42.2%
	2	18.9%	9.4%	36.9%	13.0%	9.9%	28.5%	11.3%	5.3%	26.1%	33.0%	15.7%	44.8%
	3	16.8%	8.0%	34.8%	11.0%	7.7%	27.9%	11.7%	6.3%	25.5%	29.3%	12.0%	42.4%
	4	18.6%	10.4%	34.9%	14.3%	12.7%	21.5%	12.3%	5.6%	30.1%	29.8%	13.9%	42.0%
	5	18.5%	10.1%	37.0%	17.6%	14.1%	37.2%	9.4%	4.7%	24.3%	28.7%	11.8%	42.8%
	6	20.1%	14.0%	33.3%	21.0%	21.7%	18.3%	9.8%	4.0%	29.1%	30.0%	14.8%	42.6%
	7	21.2%	16.5%	30.4%	22.1%	23.6%	16.2%	11.8%	5.6%	27.3%	29.0%	16.5%	38.2%
	8	22.3%	17.3%	33.8%	27.5%	27.9%	24.9%	9.5%	5.2%	23.5%	29.8%	16.3%	41.5%
	9	22.5%	17.7%	32.6%	29.9%	30.9%	25.0%	9.2%	4.5%	23.0%	28.5%	14.4%	39.5%
	10	21.6%	16.5%	31.3%	26.1%	28.2%	18.2%	9.8%	4.7%	24.9%	28.3%	14.2%	38.7%
	11	26.1%	18.6%	39.3%	32.2%	32.3%	31.5%	12.8%	4.3%	34.8%	32.6%	14.3%	44.3%
	12	23.8%	18.0%	36.0%	28.3%	28.6%	27.1%	10.3%	4.1%	27.4%	32.2%	17.0%	43.0%
	13	21.3%	15.2%	34.3%	25.5%	25.1%	27.1%	9.7%	4.2%	25.1%	28.5%	12.5%	41.5%

TABLE 3

PERCENT OF FILINGS PROCESSED THROUGH SCIs  
NEW YORK STATE SUPERIOR COURTS

YEAR AND TERM	TOTAL			DRUG			VFO			OTHER			
	NYS	NYC	NOT NYC	NYS	NYC	NOT NYC	NYS	NYC	NOT NYC	NYS	NYC	NOT NYC	
1988	1	25.4%	18.8%	36.7%	30.4%	30.4%	30.5%	12.0%	5.9%	26.8%	33.5%	15.5%	43.9%
	2	25.6%	19.2%	38.5%	31.9%	32.1%	30.9%	11.3%	4.7%	29.3%	33.6%	14.7%	45.7%
	3	24.1%	16.7%	38.8%	29.1%	26.8%	40.2%	11.8%	4.8%	32.2%	31.1%	16.5%	41.2%
	4	23.8%	19.4%	32.7%	30.7%	32.0%	25.3%	11.1%	4.6%	29.3%	26.9%	11.7%	37.8%
	5	25.3%	19.3%	36.6%	30.4%	32.1%	24.3%	10.8%	4.3%	28.5%	33.3%	14.6%	46.1%
	6	24.1%	18.2%	35.7%	29.9%	31.3%	24.2%	11.4%	4.5%	30.6%	29.6%	12.3%	42.7%
	7	25.5%	20.9%	34.7%	31.7%	32.5%	27.3%	12.8%	6.7%	28.1%	30.8%	18.0%	40.4%
	8	23.3%	19.8%	30.5%	29.9%	31.6%	23.4%	9.8%	5.6%	21.6%	28.0%	15.1%	38.1%
	9	24.2%	18.2%	35.0%	26.1%	27.4%	21.5%	12.4%	7.6%	24.5%	32.9%	12.1%	46.6%
	10	23.3%	18.0%	33.5%	26.6%	28.1%	21.2%	12.5%	6.8%	27.2%	30.5%	14.6%	42.7%
	11	22.8%	16.4%	36.7%	25.6%	24.1%	34.4%	12.9%	6.8%	29.3%	28.8%	12.1%	40.8%
	12	21.7%	14.5%	38.3%	22.6%	20.9%	30.5%	11.2%	5.4%	27.8%	33.3%	13.3%	48.2%
	13	19.6%	13.7%	33.3%	21.0%	20.4%	24.2%	10.8%	3.9%	30.7%	27.2%	10.1%	39.1%
1989	1	21.5%	14.0%	38.7%	21.8%	19.1%	36.0%	10.8%	5.7%	24.3%	32.6%	11.4%	47.1%
	2	23.5%	15.8%	38.4%	22.6%	20.9%	29.0%	14.5%	6.3%	35.7%	34.8%	17.0%	45.4%
	3	22.9%	14.2%	42.6%	21.4%	18.5%	36.3%	13.1%	5.8%	32.5%	36.7%	15.1%	51.1%
	4	20.6%	14.3%	35.8%	19.6%	18.8%	23.3%	11.0%	4.4%	30.4%	33.8%	17.2%	47.1%
	5	21.2%	15.4%	33.2%	21.8%	21.7%	22.1%	9.8%	5.3%	24.1%	33.7%	14.3%	47.4%
	6	21.3%	14.2%	34.2%	20.3%	18.9%	24.1%	10.6%	5.0%	25.4%	34.1%	16.0%	45.9%
	7	20.3%	14.4%	34.0%	23.6%	22.3%	28.6%	8.7%	3.8%	24.2%	28.4%	12.0%	42.9%
	8	19.8%	13.6%	34.6%	20.7%	19.1%	26.7%	9.3%	5.0%	24.7%	29.8%	13.0%	44.2%
	9	18.8%	13.4%	30.4%	21.1%	20.8%	22.2%	8.9%	3.4%	25.3%	25.5%	8.9%	37.9%
	10	19.6%	13.7%	31.0%	19.8%	19.3%	21.2%	8.5%	3.7%	21.3%	31.2%	14.4%	45.7%
	11	21.2%	16.4%	31.1%	25.7%	24.7%	28.9%	7.7%	2.8%	21.9%	28.0%	14.9%	37.5%
	12	21.2%	14.5%	35.1%	25.9%	22.7%	37.4%	9.8%	4.3%	25.6%	26.6%	11.3%	38.7%
	13	19.8%	12.9%	33.7%	21.3%	19.4%	28.0%	10.1%	3.5%	26.8%	28.7%	10.5%	41.2%
1990	1	23.1%	15.5%	38.4%	28.5%	26.8%	34.9%	8.3%	2.6%	25.6%	33.4%	10.3%	46.7%
	2	21.0%	13.7%	36.1%	23.5%	22.1%	28.5%	7.7%	3.0%	23.2%	32.7%	12.7%	46.6%
	3	22.6%	15.6%	37.8%	23.6%	22.5%	28.1%	10.5%	4.6%	29.6%	34.8%	16.2%	47.0%
	4	21.6%	14.7%	35.5%	21.0%	20.6%	22.4%	9.5%	3.6%	25.4%	36.3%	15.5%	48.8%
	5	20.9%	14.5%	33.6%	23.0%	22.6%	24.4%	9.0%	3.1%	26.2%	31.6%	13.7%	43.4%
	6	20.8%	14.6%	33.3%	25.7%	23.7%	32.8%	8.3%	2.9%	24.7%	28.1%	12.8%	37.6%
	7	19.3%	12.9%	33.1%	21.2%	19.8%	27.2%	9.4%	3.9%	26.0%	28.3%	12.5%	39.9%
	8	18.6%	12.2%	32.7%	19.7%	18.6%	23.9%	9.2%	3.9%	25.2%	28.1%	10.6%	41.7%
	9	18.9%	11.9%	34.4%	20.2%	19.8%	21.7%	7.5%	1.9%	26.1%	30.0%	8.6%	45.0%
	10	20.0%	13.6%	32.9%	21.2%	21.4%	20.4%	8.8%	2.3%	28.5%	31.3%	15.5%	41.5%
	11	20.5%	12.1%	38.1%	20.4%	19.8%	22.5%	9.5%	2.2%	31.9%	33.2%	9.3%	49.4%
	12	20.0%	12.9%	36.3%	22.0%	20.5%	29.2%	9.7%	3.2%	30.5%	29.0%	11.4%	42.3%
	13	19.9%	12.2%	36.2%	23.1%	21.5%	29.8%	7.7%	1.8%	26.8%	29.7%	9.6%	43.5%
1991	1	21.4%	13.5%	39.4%	24.3%	23.6%	28.0%	8.1%	3.0%	27.0%	33.1%	9.8%	49.5%
	2	21.1%	13.0%	36.0%	20.9%	20.3%	23.2%	10.0%	2.9%	28.2%	33.0%	10.3%	46.4%
	3	21.7%	14.8%	37.2%	24.5%	23.3%	30.3%	8.4%	2.7%	25.9%	33.4%	17.1%	45.8%
	4	22.0%	13.5%	40.0%	22.9%	21.0%	30.8%	9.6%	2.5%	31.9%	35.2%	15.5%	48.5%
	5	25.7%	18.2%	41.3%	29.7%	28.6%	34.6%	10.0%	2.9%	29.9%	37.3%	18.2%	50.6%
	6	22.9%	16.2%	37.0%	25.3%	24.7%	27.8%	8.8%	2.6%	26.7%	35.0%	19.5%	46.2%

TABLE 4

PERCENT SHORTFALL (F-D)/D\*100 FOR YEAR

Summary Information on Superior Court Activity  
 New York State: Term 1, 1984 - Term 7, 1991

YEAR	NYS	NYC	Not NYC
1984	-2.31%	-2.48%	-2.06%
1985	0.48%	2.41%	-2.31%
1986	1.55%	3.47%	-1.63%
1987	0.49%	1.41%	-1.27%
1988	3.97%	5.42%	1.21%
1989	4.94%	6.05%	2.71%
1990	2.13%	3.18%	0.08%
1991*	-0.66%	0.55%	-3.02%

\*1991 shortfall is based on Terms 8-13 of 1990 and Terms 1-7 of 1991.

TABLE 5

## TERMS OF BACKLOG AT CLOSE OF YEAR

Summary Information on Superior Court Activity  
New York State: Term 1, 1984 - Term 7, 1991

YEAR	NYS	NYC	Not NYC
1984	4.40	4.84	3.74
1985	4.72	5.60	3.45
1986	4.29	4.88	3.31
1987	3.83	4.13	3.26
1988	4.01	4.32	3.42
1989	3.95	4.10	3.64
1990	4.16	4.38	3.73
1991*	3.95	4.32	3.23

\*Computed as of end of Term 7, 1991.

TABLE 6

AVERAGE NUMBER OF DISPOSITIONS PER JUDGE DAY

Summary Information on Superior Court Activity  
 New York State: Term 1, 1984 - Term 7, 1991

YEAR	NYS	NYC	Not NYC
1984	85.4%	88.9%	80.6%
1985	87.8%	92.0%	82.4%
1986	94.0%	102.0%	83.2%
1987	104.2%	116.1%	87.1%
1988	109.1%	121.1%	91.7%
1989	123.0%	140.7%	98.3%
1990	125.5%	142.3%	102.0%
1991*	123.6%	139.0%	101.4%

\*1991 average is based on Terms 8-13 of 1990 and Terms 1-7 of 1991.

TABLE 7

## AVERAGE NUMBER OF JUDGE DAYS PER TERM BY YEAR

Summary Information on Superior Court Activity  
New York State: Term 1, 1984 - Term 7, 1991

YEAR	NYS	NYC	Not NYC
1984	4535	2620	1916
1985	4450	2509	1941
1986	4541	2605	1936
1987	4625	2722	1903
1988	4557	2692	1865
1989	4701	2741	1960
1990	4754	2772	1981
1991*	4979	2932	2047

\*1991 average is based on Terms 8-13 of 1990 and Terms 1-7 of 1991.