Felony Justice
in
Jefferson Parish 24th Judicial District Court

Executive Summary

A Research Report
by the
Metropolitan Crime Commission

June, 1999
New Orleans, Louisiana

Executive Summary

The Research

This Metropolitan Crime Commission report is a descriptive overview of the context and process of felony justice in Jefferson Parish, the state's Twenty-Fourth Judicial District. It has been undertaken under the direction of an eight member Review Committee comprised of members of the Metropolitan Crime Commission (MCC) Board of Directors and representatives from other community groups.

This study generates needed information about the context of felony justice in the court and helps define appropriate areas of judicial accountability. The research is designed to fill a critical need for the analysis and distribution of reliable, relevant and objective information about the court and the felony case process.

Scope of Work

This study of the felony docket revisits the same court process, judicial accountability and judicial performance areas addressed by the MCC in both its 1996 and 1998 research. The three performance areas evaluated are:

- **Case Processing Time** - the time required to process felony cases from the filing of the bill of information to disposition in each division of court;
- **Compliance with American Bar Association Time Standards** - the application of nationally recognized time standards to the felony docket in each division of court;
- **Inventory of Cases** - the size of each judge's active pending caseload.

The study findings are based on a random sample of 25 percent of all felony cases that closed in each division of court during 1998. Records maintained by the Jefferson Parish Clerk of Court were the principal source of information for the research.

Major Findings

The Context of Felony Justice in Jefferson Parish

- While the overall number of criminal filings in the court has risen considerably (54 percent) in the last decade, criminal case filings were down by 7 percent in 1998 (7,377) from 1997 levels (7,944)
- Theft and drug cases dominate the court's felony docket (35 and 21 percent of the docket, respectively)
- The majority (62 percent) of defendants in the MCC sample were released from custody prior to trial. The most common release methods were through a commercial bonding company (24 percent of all releases), personal surety bond undertaking (third party release—15 percent of all releases), and emergency release due to jail overcrowding (18 percent of all releases).
- Thirty-five percent of all defendants released from custody prior to trial failed to appear for court at least once during the processing of their case. The median time away from court for these offenders was 76 days.
- The overall conviction rate in the court in 1998 was 81 percent—the highest rate during any period studied by the MCC. Guilty pleas to the original or a lesser charge accounted for the majority (78 percent) of all dispositions in all divisions of court; 68 percent of all guilty pleas were to the original charge, an increase of 12 percent over 1998 research.
- The rate at which cases were dismissed by the district attorney decreased in 1998 to a four-year low of 17 percent.

Issues of Judicial Accountability and Performance

- For the court as a whole, felony cases adjudicated at virtually the same rate in 1998 (108 days) as in 1997 (106 days).
- Slightly more cases closed within the ABA's recommended time standard for felony cases in 1998 (93 percent) than in 1997 (92 percent).

This report's major performance related findings are summarized in Exhibit One.

Exhibit One: Summary of Performance Related Findings, 1998

Overall Performance Rank, 1998*	Median Case Processing Time	ABA Standard Compliance Rate	Inventory of Cases at Year End
	Court Average = 106 Days	*ABA Standard = 100% Court Average =93%*	*Court Average = 93 Cases*
1. Grant (I)	69	98%	57
2. Edwards/P. Hand (O)	72	100%	83
3. Zeno (P)	67	95%	77
4. Wicker (B)	70	93%	41
5. Murphy (D)	85	96%	81
6. McCabe (F)	128	96%	74
6. Fernandez (J)	95	96%	89
8. Sullivan (M)	98	94%	83
9. Pitre (G)	112	97%	104
10. Sassone (K)	117	91%	92
11. Cusimano (L)	123	88%	85
12. K. Hand (H)**	110	88%	124
13. Chehardy/Evans (N)	140	90%	109
14. Rothschild (A)**	149	90%	144
15. Green (C)**	167	88%	136
15. McManus (E)	167	84%	104

Source: MCC Research

Note: The MCC does not recommend that the average be a permanent performance standard. The MCC believes, however, that in the absence of any internal standards or goals the average is a useful performance benchmark.

* Rankings were obtained by determining the performance of each judge relative to other judges on the bench within each measured area of performance. These individual rankings were then used to calculate an average for an overall rank across all performance areas studied.

** In addition to handling a criminal and civil docket, Judges Rothschild (A), Green (C) and Hand (H) also have jurisdiction over the majority of the court's domestic filings. These cases require significant judicial attention and, according to law, domestic matters often take priority over other scheduled civil and criminal proceedings. The MCC acknowledges that felony case processing performance may be affected as a result.

Conclusion

Last year, the MCC identified significant improvements in the court's felony caseflow process relative to its performance in prior years. These improvements resulted in a decrease in total time to disposition for the court as a whole and a decrease in the degree of difference among divisions of court in key performance areas. These results are an indication that in the last two years the court has successfully addressed the problematic areas of felony caseflow the MCC identified in its 1996 research.

MCC's 1998 research also highlighted the kinds of caseflow improvements that can be realized as a result of judicial leadership and criminal justice agency collaboration. In 1997, the court and other criminal justice agency representatives successfully collaborated both to identify areas of major need in the felony

case process and to develop strategies to address them. The MCC believes that the success of these initiatives bodes well for greater efficiency and accountability in the court and the parish's entire criminal justice system. In addition, formal and informal efforts at coordination and system enhancements are ongoing. Examples of these efforts include the court's recent adoption of case processing time guidelines, and the regular and formal discussions among key criminal justice officials about the use of the court's recently acquired computerized management information system. The MCC applauds these proactive efforts toward greater system efficiency and believes they will be enhanced by the involvement of the parish's newly created Community Justice Agency, a body created to direct the parish criminal justice system's planning and program development and evaluation capabilities.

This latest MCC research indicates, however, that there is room for additional case processing improvements in the court. Specifically, while overall felony case processing time in 1998 remained virtually unchanged from 1997 levels, the "slowest" divisions of court still require over twice the time to dispose of cases as the "fastest" divisions of court, and the size of the inventory of open cases varies widely among court divisions. The MCC fears that in some divisions of court, large pending criminal dockets present a bar to the timely processing of both the criminal and the civil docket. Also, the court continues to operate without the benefit of standardized, reliable and easily accessible information about felony caseflow, such as the specific reasons why cases are continued and the length of time it takes for cases to be adjudicated. Information such as this represents a powerful management tool for individual judges, the chief judge and the judicial administrator, and it is essential for optimizing the court's efficiency. The court and other justice system officials acknowledged the importance of information such as this when they made an investment in the current information management system three years ago. The MCC urges criminal justice officials to take the steps necessary to formalize the protocol for using the information management system, to make it fully operational and able to work to its intended capacity.

Recommendations

The MCC believes that in order to maximize its efficiency, the court should continue to aggressively pursue and formalize proactive docket management policies and procedures such as those undertaken by many judges in the court during the last few years. These policies have resulted in the improvements initially described in the MCC's 1998 report and which are further summarized in this research. This will demand a concerted effort at administration—one that will rely on the use of statistical and management reports generated by the court's new information management system and on the continued collaboration of key criminal justice system actors. The MCC specifically recommends that the court:

- Make full and aggressive use of the court's computerized management information system through the generation of key caseflow related reports for all divisions of court, key staff, other criminal justice system officials and the general public;
- Seek to further clarify the roles of the key parties with respect to the use of the new information management system. The clerk of court should commit to providing annual training to all relevant court personnel in using the information management system;
- Prioritize the backlog of older cases for expedited disposition;
- Continue to enact, via court rule, caseflow management policies and procedures, including the possibility of redistributing the current active domestic docket among all judges, and use the court's current resources to monitor their effectiveness;
- Adopt a rule to exclude the chief judge from case allotment for one month per year to allow that individual the time necessary to devise, implement and assist in pursuing the needs and goals of the court.