

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

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Report

TO: Members of the Judicial Council

FROM: Center for Families, Children & the Courts
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DATE: June 15, 2004

SUBJECT: Court-Appointed Counsel: Caseload Standards, Service Delivery Models, and Contract Administration (Action Required)

Issue Statement

Senate Bill 2160 (Stats. 2000, ch. 450)¹ amended section 317 of the Welfare and Institutions Code to require that (1) counsel be appointed for children in almost all dependency cases; (2) appointed counsel have caseloads and training that ensure adequate representation; and (3) the Judicial Council promulgate rules establishing caseload standards, training requirements, and guidelines for appointment of counsel for children. At its April 27, 2001, and August 24, 2001, meetings, the Judicial Council took action regarding the effective delivery of court-appointed counsel services in juvenile dependency proceedings. In addition to adopting a rule that mandated the appointment of counsel for children subject to dependency proceedings in all but the rarest of circumstances, the council directed staff to undertake a study to identify caseload standards for attorneys representing both parents and children, including an analysis of multiple service delivery models for dependency counsel, and to recommend an interim fiscal policy related to trial court expenditures for court-appointed counsel in dependency proceedings.

In December 2003, the Judicial Council modified its Operational Plan to articulate a goal of improving courts' management of dependency and delinquency cases. That objective is to be achieved in part by the development and implementation of uniform standards for the performance, oversight, and compensation of court-appointed counsel in dependency proceedings. The Operational Plan objective closely tracks both the recommendations outlined in the National Center for State Courts' *1997 California Court Improvement*

¹ The Judicial Council co-sponsored Senate Bill 2160; no opposition to the bill was filed in the Legislature.

Project Report and the recently released *Pew Commission Report on Children in Foster Care*. Both of those documents delineate recommendations for the adoption and implementation of standards related to dependency counsel performance and compensation.

National efforts to address dependency counsel practice and the objectives outlined in the Judicial Council's Operational Plan provide a framework for recent Administrative Office of the Courts (AOC) initiatives undertaken at the direction of the Judicial Council and the recommendations presented for action at this time. These interrelated efforts include a dependency counsel caseload study in collaboration with the American Humane Association; development of a reimbursement program funding policy for the trial courts; and a service delivery model analysis conducted in collaboration with the Spangenberg Group. These efforts, along with the Dependency Representation, Administration, Funding and Training (DRAFT) pilot program, are designed to address the trial courts' concerns about quality of practice and fiscal issues related to dependency counsel administration.

Recommendation

The Center for Families, Children & the Courts staff, recommend that the Judicial Council:

1. Receive the report on caseload standards and service delivery models for trial-level court-appointed dependency counsel prepared by the American Humane Association and the Spangenberg Group (see attached report).
2. Direct staff to begin a phased-in implementation of these caseload standards on a pilot basis as part of the Dependency Representation, Administration, Funding and Training (DRAFT) program.
3. Direct staff to pursue growth funding for the court-appointed counsel program for fiscal year 2005–2006.

Rationale for Recommendation

The current recommendations are based on findings generated by the dependency counsel caseload study, service delivery model analysis, and reimbursement funding program. Each of these is described briefly below.

Dependency Counsel Caseload Study

In January 2001, the Legislature passed Senate Bill 2160, which mandated the presumptive appointment of counsel for all children in dependency proceedings and directed the Judicial Council to establish caseload standards for children's counsel. The council expanded this mandate regarding caseload standard development to include parents' attorneys as well, and directed AOC staff to establish caseload standards to ensure the consistent provision of high quality legal services for dependent children and their parents in trial courts statewide.

In 2002, the AOC contracted with the American Humane Association to conduct a quantitative caseload study of trial-level court-appointed dependency counsel based on an assessment of the duties required as part of representation and the amount of time needed to perform those tasks.

The caseload study comprised four distinct components:

1. *Defining dependency counsel work* in terms of discrete actions attorneys take in providing services to clients. More than 150 attorneys and juvenile court judicial officers statewide participated directly in the effort to define dependency counsel work.
2. *A workload study* to measure the time it currently takes to provide these services; 591 attorneys and 131 support-staff participated in the two-week workload study.
3. *Structured estimation focus groups* to determine the amount of time attorneys should spend providing case services, based on two standards of performance; and
4. *The development of models* to identify caseload standards based on structured estimation results.

Based on the results of all the study components, a recommended maximum caseload of 141 cases per full-time dependency attorney is identified as a base-level standard of performance. The study design and findings are fully outlined in the attached caseload study report. The proposed maximum caseload of 141 cases compares to a current statewide average caseload of 273. The recommended caseload figure presumes both certain frequencies of attorney activities at specified stages of any given dependency proceeding and certain amounts of time required to complete those activities, and is designed to ensure that attorneys have adequate time to provide the investigation and advocacy necessary to secure appropriate outcomes for dependent children and their families.

Service delivery model analysis

In January 2004 the AOC, in partnership with the Spangenberg Group, began an analysis of changes that may need to be made to court-appointed counsel service delivery models both to implement caseload standards and to address the escalating program costs that face many local courts.

In the transition to state funding, the trial courts assumed the unique dependency counsel service delivery models of their respective counties; as a result, there is little uniformity among courts with respect to provider types (for example, private vs. government attorneys), fee structures (for example, per case vs. annual contract rates) and standards of practice (which are, for the most part, defined by local court rules). Thus, while court-appointed dependency counsel services are entirely state-funded, the funding passes directly from the Judicial Council to the 58 trial courts which then separately negotiate and administer contracts for the local provision of such services. The state-funded, locally administered system has resulted in a continuation of disparities between the courts with respect to attorney quality and compensation inherent in the county-based funding mechanism that preceded state funding of the trial courts.

Over the last two fiscal years, courts have increasingly requested the assistance of AOC staff in assessing the cost efficacy of existing court-appointed counsel service delivery models, with a specific focus on appropriate attorney compensation levels. Staff have been able to give little help to the courts in this regard, in the absence of attorney compensation standards. A similar absence of standards with respect to attorney workload affects the courts' ability to negotiate with attorney providers regarding appropriate workload levels and hinders the AOC's ability to assist with such negotiations.

Based on its initial analysis of existing service delivery models and costs, the Spangenberg Group identified a need for piloting a centralized contracting model as a way of assessing the feasibility of uniform compensation and workload standards. Their analysis rested on these facts:

- Current annual attorney costs, when standardized across the number of child clients under juvenile court jurisdiction, range from \$69 to \$2,758 per child;
- Attorneys who are paid hourly receive from \$32.10 to \$138 per hour;
- Attorneys who are paid a flat, per-case fee receive from \$241 for case duration to \$960 per case per year; and
- Accounting for full-time equivalency status and county size, average full-time attorney caseloads range from 131 to 616 clients per full-time court-appointed dependency counsel.

In order to address (1) resource inequities between the courts; (2) escalating program costs; and (3) the need to implement attorney performance and caseload standards, the

Spangenberg Group proposed that the AOC pilot a centralized dependency counsel administration model. Such models have been implemented successfully in other states, including Colorado, Massachusetts, Oregon, Washington, and Utah.

Reimbursement program funding

The Judicial Council has submitted budget change proposals addressing court-appointed counsel funding needs since fiscal year 1998–1999 and has succeeded in increasing statewide program funding from \$52.3 million at the onset of state funding to \$85.3 million today. However, beginning with the fiscal year 2001–2002 budget development cycle, the Department of Finance began to question requests for court-appointed counsel growth funding based on the fact that some trial courts were realizing significant program deficits while others were realizing surpluses. At the same time, a lack of clearly defined performance and caseload standards for court-appointed attorneys resulted in an inability to articulate the funding needed in relation to workload requirements.

As a result of the concerns raised by the Department of Finance—and particularly the potential impact of those concerns on the ability to procure the necessary growth funding—in April and August of 2001, the Judicial Council took action with respect to court-appointed counsel funding, directing staff to implement a policy whereby court-appointed counsel funds could be used by the trial courts only for that purpose. An integral component of this policy is reimbursement program funding, a policy which stipulates that court-appointed counsel funds not utilized by a local trial court to pay appointed counsel are reallocated to the courts realizing deficits in their court-appointed counsel programs.

While Reimbursement Program Funding has achieved the goal of ensuring that funds allocated for dependency counsel services are used only for that purpose, a larger structural problem exists with respect to a disconnect between increasing contractual obligations and a decreasing dependency population. The inability to articulate an explanation for that trend stems from a lack of standards for attorney compensation and workload.

DRAFT Program

In response to requests for assistance from individual trial courts and pursuant to the Spangenberg Group's recommendation, the AOC has established the Dependency Representation, Administration, Funding and Training (DRAFT) pilot program. The DRAFT program will shift responsibility for dependency counsel contract administration for a small number of volunteer local courts to the AOC for the 2004–2005 fiscal year. This program will provide the council and the AOC, in collaboration with participating courts, the opportunity to pilot uniform caseload standards and rate structures for court-appointed dependency counsel and evaluate their efficacy. It is anticipated that the implementation of this program will significantly increase the council's ability to

successfully advocate for court-appointed counsel resources with the Legislature and Department of Finance. To that end, the Judicial Council is asked to authorize staff to seek growth funding for the 2005–2006 fiscal year.

DRAFT program participants

In an effort to be most responsive to unique local court challenges with respect to the administration of court-appointed counsel services, a request for letters of interest (LOI's) regarding DRAFT program participation was disseminated to the courts on April 14, 2004; that correspondence indicated that between 5 to 10 of the courts submitting LOI's would be selected for the DRAFT pilot program beginning July 1, 2004.

A "Questions and Answers" (Q&A) session for prospective DRAFT program participants was held April 23, 2004; representatives from 23 courts participated in that conference call. Shortly thereafter, the issues identified and decisions rendered during the call were distributed to all courts as Q&A's in order to provide decision-makers with as much information as possible prior to the deadline for LOI submission.

Sixteen courts submitted letters of interest in DRAFT program participation.² Of these courts, the following ten were selected: Imperial, Los Angeles, Marin, Mendocino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Cruz and Stanislaus.

A team comprised of AOC regional directors and CFCC staff met shortly after the deadline for LOI submission to conduct the selection process. Courts were selected for DRAFT participation based upon criteria including: dependency population size, geography, service delivery model mix, fiscal implications of existing contractual obligations and an assessment of AOC staff's ability to provide comprehensive DRAFT program services to each selected court.

DRAFT Program implementation

The DRAFT program is premised upon a partnership between participating courts and the AOC, with the courts playing the primary role in attorney selection and evaluation and the AOC having responsibility for contract administration and attorney payment subject to prerequisite judicial invoice review.

Specific implementation components will vary based upon the needs identified by each participating court; to that end, AOC staff will meet individually with representatives from each DRAFT program participant prior to the end of June in order to develop court-specific program implementation plans. These plans will include at a minimum:

- Direct billing between contracted attorneys and the AOC with prerequisite judicial invoice review;

² Del Norte, Imperial, Los Angeles, Marin, Mendocino, Placer, Riverside, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Cruz, Siskiyou, Sonoma, Stanislaus, and Yolo Counties.

- Implementation of a mandatory education program to be provided to contracted attorneys free of charge;
- Attorney technical assistance;
- Regular evaluation of attorney performance by local judicial officers; and the
- Establishment of a group malpractice insurance policy available to solo practitioners.

The following may also be included in a particular court system's implementation plan:

- Renegotiation of existing dependency counsel contracts with respect to compensation level/type and attorney caseloads; and
- Distribution of Request for Proposals and related contractor selection.

The timeline for implementing each of these program components will vary based upon a number of factors including: the programmatic priorities identified by each participating court, the readiness of the infrastructure needed to support each program element, and notice provisions in existing provider contracts.

DRAFT Program Oversight Committee

The partnership between participating courts and the AOC will be formalized with the establishment of a DRAFT program oversight committee. The committee, which is chaired by Justice Richard D. Huffman, is comprised of at least one judicial and one court administration representative from each participating court, and additional juvenile court judicial officers, court administrators, and trial and appellate court attorneys. The committee will hold its first meeting on June 25, 2004.

The committee will be responsible for all aspects of DRAFT program oversight, and will have as its initial charge the development of detailed operational guidelines for each component of the DRAFT program. This charge includes:

- The development of proposed standardized rate structures;
- The identification of all conflicts and ethical issues presented by the DRAFT program and a methodology to address these issues;
- The development of a technical assistance model;
- The development of proposed attorney qualifications and training requirements; and
- The development of an attorney performance management tool and process.

Staff will report back to the Judicial Council with mid-year DRAFT program findings and will make recommendations regarding the viability of statewide caseload standard implementation and expanding centralized appointed counsel administration. If a determination is made at that time to expand the program in a second year, AOC staff will disseminate a request for LOI's to the courts in January of 2005.

Alternative Actions Considered

The alternative to DRAFT program implementation is maintenance of the status quo. This option is not a viable one given inherent resource inequities that manifest in vast variations in attorney compensation and caseloads among the courts. Not only does this disparity hinder effective statewide budget advocacy, it more importantly precludes the uniform and consistent promotion of standards and guidelines designed to improve outcomes for dependent children and their families.

Comments From Interested Parties

The issuance of the request for LOI's for DRAFT program participation generated a significant level of interest in the courts. Generally the response was positive, as reflected in both LOI's submitted and verbal communications with individuals in many courts.

However, subsequent to the selection of and notification to participating courts, concerns have been raised about the program. The DRAFT Program Oversight Committee will address these concerns as the DRAFT Program is implemented.

Implementation Requirements and Costs

There are no costs associated with year one of DRAFT program implementation. The Judicial Council is asked to authorize staff to pursue additional court-appointed counsel program funding for fiscal year 2005-2006.

Attachment

Dependency Counsel Caseload Study and Service Delivery Model Analysis

June 2004

Prepared for the Administrative Office of the Courts by:
The American Humane Association,
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CASELOAD STUDY AND DEPENDENCY COUNSEL CASELOAD STANDARDS

The Caseload Study was designed to identify maximum per-attorney caseloads for court-appointed dependency counsel based upon quantifiable standards of practice.¹ A Caseload Study Working Group² was established to facilitate the initial development of the Caseload Study design and to advise both the AOC and the lead contractor selected for the project, the American Humane Association,³ as to the nature of dependency counsel work and the interpretation of data collected during the course of the Caseload Study.

The American Humane Association has been the nation's only organization dedicated to *both* child and animal protection for over a century. American Humane's Children's Services division is a national leader in developing programs, policies, and services to prevent the abuse and neglect of children, while strengthening families and communities and enhancing social service systems. The American Humane Association was selected as the primary contractor for the Caseload Study because of this history generally, and specifically because of its recent role as project lead for the State of California's Child Welfare Services Workload Study, conducted pursuant to Senate Bill 2030 in 1999.

Through consultation with the Caseload Study Working Group it became apparent that the scope of the study would have to be expanded to include certain types of attorney support staffing, given that:

- These staff are not uniformly available; and
- These staff performs functions that in other locations (where support staff are not available) might be deemed "attorney work."

Specified support staff was therefore included in the study in order to measure the case services support staff provides, and to determine what, if any, impact such staff have on the case service time of the attorneys with whom they work.

An interim Caseload Study report was issued for comment in November of 2003; Appendix 2 contains materials related to that report, including supplemental information provided as part of the request for report comments. This final report includes modifications made to actual caseload standards pursuant to comments received during the interim report request for comment period.

¹ Unless otherwise noted, all references to court-appointed counsel refer to trial counsel; the Caseload Study did not address appellate counsel practice or caseload standards.

² Caseload Study Working Group (See Appendix 1)

³ In May 2002, the American Humane and its collaborating partners, the National Center for State Courts, the National Center for Youth Law, and North American Legal Services, entered into a contractual relationship with the AOC to conduct the Caseload Study.

Caseload Study Design

The Caseload Study consisted of four primary components:

- Defining dependency counsel work in terms of discrete actions attorneys take in providing services to clients;
- A Workload Study to measure the time it currently takes to provide these services;
- Conducting structured estimation focus groups to determine the amount of time attorneys should spend providing case services, based on two standards of performance; and
- The development of models to identify caseload standards based on structured estimation results.

Defining Dependency Counsel Work

The initial stage of the Caseload Study involved the development of a list of services describing attorney work in dependency cases. This list of services was designed to serve two functions:

- As a listing of all possible dependency case-related services upon which standards of practice could be based. Once the activities that attorneys perform for dependent children and their parents are defined, it is possible to determine which activities should be required of attorneys and therefore reflected in caseload standards; and
- As a finite listing of discrete case-related services that formed the basis of the data collection instrument used in the workload study component of the Caseload Study.

AOC staff developed an initial list of dependency counsel activities and tasks in conjunction with members of the Caseload Study Working Group. This list was then refined by six “Standards Setting” focus groups comprised of parents and children’s counsel, juvenile court judicial officers and appellate attorneys from all parts of the state (a list of focus group locations can be found in Table 1). Each focus group met in six-hour sessions which included a general presentation on the purposes of the Caseload Study and the concepts to be discussed in editing the dependency counsel activity and task list, as well as break-out sessions where smaller groups, proctored by members of the project team, discussed and modified the activity and task listing. In all focus groups it was clearly stated that the list was not only designed to reflect current practice, but also to provide the AOC with a document that described all possible activities and tasks that an attorney could or should do to provide quality legal services in all cases.

After completion of the six focus groups the resulting activity and task list was sent out for comment to practitioners statewide; further modifications were made based on the results of that comment period. In addition, AOC staff separately conducted two support staff focus groups designed to ensure that the task list was comprehensive enough to reflect not only all possible attorney activities, but also the casework performed by non-attorney support staffing.

Location	Date
<i>Pilot:</i> San Francisco	Friday, July 12, 2002
1) Redding	Monday, July 22, 2002
2) Auburn	Wednesday, July 24, 2002
3) San Francisco	Thursday, July 25, 2002
4) Ontario	Friday, July 26, 2002
5) Los Angeles	Monday, July 29, 2002
6) Fresno	Tuesday, July 30, 2002

The Organization of Dependency Counsel Work: The Activity/Task List

A final version of the activity and task list is provided in Appendix 3. Like the original concept of the list, it is organized into major headings, called Hearing Classifications, based on statutorily required dependency hearings. Within each of these Hearing Classifications, three stages of casework related to those hearings are delineated. These stages, or Case Phases, are: Pre- Hearing, At Hearing, and Post-Hearing.

Hearing Classifications and Case Phases together create the following general structure for defining dependency counsel work:

- I. Hearing Classification: Beginning Through Detention Hearing
 - a. Pre-Hearing
 - b. At Hearing
 - c. Post-Hearing
- II. Post-Detention Hearing through Disposition Hearing
 - a. Pre-Hearing
 - b. At Hearing
 - c. Post-Hearing
- III. Post-Disposition through End of Reunification Services and/or In-Home Dependency
 - a. Pre-Hearing
 - b. At Hearing
 - c. Post-Hearing
- IV. 39.1B Writ Preparation through Completion of the Selection and Implementation (WIC § 366.26) Hearing
 - a. Pre-Hearing
 - b. At Hearing
 - c. Post-Hearing
- V. Post-Permanent Plan Hearings
 - a. Pre-Hearing
 - b. At Hearing
 - c. Post-Hearing

Although these Hearing Classifications are generally designed to suggest the “trajectory” of a case through the dependency court system from detention through post-permanency, the list is not chronological within each Hearing Classification, nor does it assume that every case reaches each classification.

It should be noted that there is an artificial categorization of the 39.1B Writ, which challenges the termination of reunification services, placing it within the pre-hearing, at-hearing, post-hearing structure of the statutory hearing for termination of parental rights, known colloquially as the “.26 hearing” (WIC § 366.26). These are obviously separate (though related) types of work, placed in the same category for the sake of parsimony.

Within the structure of Hearing Classifications and Case Phases, specific actions are detailed (see Appendix 3). These specific actions or *Activities* were defined to be mutually exclusive and of limited duration so that workload study participants could easily determine when they began and ended any Activity on the list. Because some Activities were broad in scope (for example, Case Preparation, Investigation and Management), an additional level of detail was included, called *Tasks*. Taken together, the Hearing Classifications, Case Phases, Activities and Tasks constitute a list of services that can be utilized to describe dependency counsel work as a whole, and are referred to as the *Activity and Task List*.

For workload study purposes, another “classification” category was created to capture non-court-appointed dependency work. This category, called “Other Legal and Administrative Activities,” was designed to capture both administrative functions and attorney casework unrelated to court-appointed dependency work.

In addition to the Activity and Task List, focus group participants considered other items designed to measure aspects of casework not directly related to time. These other items were organized into two categories:

1. **Case Characteristics**: case factors existing independently of any specific attorney activity that may impact attorney time including the incidence of substance abuse, mental disability, domestic violence, etc. For purposes of the workload study, these characteristics were required to be relevant to the entire case (not just to one specific activity), and unlikely to change during the workload study period.
2. **Investigation Topic Checklist**: The Investigation Topic Checklist was designed to capture an additional dimension of casework when any task under the activity “Case Preparation, Investigation, and Management” was selected. The list probed participants for detail concerning the subjects of their communication and/or investigation tasks. The checklist is primarily based upon statutory investigative requirements for minor’s counsel, and includes such items as “sibling visitation” and “alternative placement options.” The checklist was conceived as a tool for capturing important information as to the frequency with which dependency counsel are currently addressing statutorily required investigation topics.

Standards Setting focus group members made revisions to the list of Case Characteristics and the Investigation Topic Checklist. The final versions of these lists are provided in Appendix 4.

Workload Study Methodology, Training, and Implementation

Methodology

The workload study was designed to be a self-report study. Participants were asked to self-report what activities or tasks, picked from the Activity and Task List, they were performing, and how long those activities or tasks took to perform, over a two-week period. Whenever possible, participants were to record this information as they were completing each activity, so that workload study results would be as accurate as possible. A software data-collection tool was developed to facilitate accurate and timely reporting. Based on the Delphi programming language, this software, called the TimeDataCollector, was loaded with the Activity and Task List developed by the Standards Setting focus groups. It also contained special screens for collecting information about participants and their cases including:

Client/Case Information

- Whether the client was a child, parent, or “de facto” parent⁴
- Whether parent client was a minor
- The number of siblings associated with a single child case number
- The number of dependent children associated with a parent case

Workload Study Participant Information

- Job type (attorney, social worker/investigator, paralegal or “other”); and
- Primary county of practice (one in which a majority of dependency cases are handled).

The use of data collection software as the primary method of data collection had several advantages over the use of traditional paper and pencil time logs:

- Unlike paper logs, electronic forms contain “up front data validation,” that is, the software can be programmed not to allow activities and tasks to be used in incorrect combinations (such as listing an “administrative” classification with a case-related activity).

⁴ Rule 1401(a)(8) of the California Rules of Court defines a “de facto parent” as a person who is the current or recent caretaker of a child and who has been found by the court to have assumed, on a day-to-day basis, the role of a parent to the child, fulfilling both the child’s physical and psychological needs for care and affection. Rule 1412(e) allows the juvenile court to grant de facto parent status to those persons, thereby giving them standing to appear as parties in disposition hearings and any hearing thereafter at which the status of the dependent child is at issue. De facto parents may be present at hearings, may be represented by retained counsel or, at the discretion of the court, by appointed counsel, and may present evidence.

- Electronic forms can limit displays of the Activity and Task List to applicable areas. The Activity and Task list, in total, is quite a large document. Rather than have users look through all possible activities, the software limited displays to only those items relevant to the selected hearing classification and case phase.
- The electronic form contained an “automatic e-mail” function, which allowed users whose computers were connected to the Internet to send their completed data to American Humane instantly, rather than relying on mail or facsimile.

For these reasons, workload study participants were encouraged to use the TimeDataCollector.

A bound paper logbook was also provided to all participants (sample pages of the log book can be found in Appendix 5). Its design was based on the same functions available in the software; paper logbooks were to be used by workload study participants in lieu of the TimeDataCollector or as a mechanism for time recording when away from a computer. A separate set of instructions for use of the paper logbooks was provided to participants.

Training and Implementation

Workload study trainings were conducted to ensure accurate use of data collection instruments. Sixty-five attorney trainings were held in 24 counties – a level of coverage deemed necessary to ensure accurate time reporting and encourage overall participation. Attorneys and those support staff whom attorneys had identified as time study participants were contacted by the AOC and encouraged to attend a workload study training⁵. Workload study implementation was conducted in “stair step” fashion, with the state divided into five contiguous zones and participants in each zone beginning recording data after implementation in the previous zone (see Table 2). Trainings were designed to immediately precede the scheduled start date of the workload study for each particular zone.

American Humane conducted trainings with members of its partner organizations, with two trainers present at most locations. The exceptions were the Mono and Inyo County trainings, where only one trainer was present. A member of the AOC was present at most locations, with the exceptions being the Mono and Santa Clara County trainings.

The training curriculum included a brief presentation by the AOC representative as to the purpose of the Caseload Study in general. Trainers discussed the methodology for the workload study, participant requirements, and how collected data would be used. The bulk of the trainings

⁵ AOC staff worked with dependency counsel providers in order to identify criteria for support staff inclusion in the Caseload Study; several determinations were made as to which types of support staff to include (and exclude). First, the category support staff was initially narrowed to include only social workers/investigators and paralegals. Practitioner feedback resulted in the addition of a third group, “Others”, which included a broad array of employee classifications that did not fit into the other groups. Criteria for inclusion in any of the support staff categories was based upon a determination of whether a particular individual was doing “legal” work (e.g. client interviews, investigation activities). Study participation was further limited to staff, rather than contractual or ad-hoc support.

focused on the way to properly define work within the Activity and Task List, and the recording of work and time values using the data collection software program.

Implementation of the data collection phase of the study began after the completion of trainings in each zone. Participants recorded the activities that made up their workdays and the time required to complete those activities for 14 days. Participants submitted their results multiple times during the workload study so that quality assurance procedures could confirm correct use of the activity and task list. Data submitted after the end of the study period was comprehensive of the full two-week period and forms the bases of all analyses reported here.

The workload study was designed as a "100 percent work study," that is, 100 percent of all work time was recorded (whether administrative, court-appointed dependency related, or related to other casework, and whether weekday or weekend work time) and 100 percent of all eligible participants were asked to participate. This design resulted in a complete picture of work time, capturing both case and non-case work time for attorneys and specified support representing all practice types and compensation models statewide.

Table 2: Training Schedule

Zone 1: Workload Study Dates: January 20 – February 2, 2003

Location	Counties Trained	Date and Time	Sessions	Days
Sacramento	Sacramento, Lake, Yolo	Monday, January 6, 9 a.m. - 1 p.m. & 1 p.m. - 5 p.m. Tuesday, January 7, 9 a.m. - 1 p.m. & 1 p.m. - 5 p.m.	4	2
1st: Placerville, 2nd: S. Lake Tahoe	Amador, Alpine, El Dorado, Placer	Wednesday, January 8, 8 a.m. - 11:30 a.m. (Placerville), 1 p.m. - 5 p.m. (Tahoe)	1	1
Marysville	Colusa, Sutter, Yuba	Thursday, January 9, 9 a.m. - 1 p.m.	1	1
Chico	Butte, Glenn, Tehama Counties	Friday, January 10, 9 a.m. - 1 p.m.	1	1
Eureka	Mendocino, Del Norte, Humboldt	Monday, January 13, 9 a.m. - 1 p.m. & 1 p.m. - 5 p.m.	2	1
Yreka	Siskiyou	Tuesday, January 14, 1 p.m. - 5 p.m.	1	1
Redding	Trinity and Shasta	Wednesday, January 15, 12 p.m. - 4 p.m.	1	1
Susanville	Modoc, Lassen	Thursday, January 16, 2 p.m. - 6 p.m.	1	1
Nevada City	Sierra, Nevada, Plumas	Friday, January 17, 1 p.m. - 5 p.m.	1	1

Table 2: Training Schedule (cont'd)

Zone 2: Workload Study Dates: February 3 - February 16, 2003

Location	Counties Trained	Date and Time	Sessions	Days
Salinas	Santa Cruz, San Benito, Monterey	Tuesday, January 21, 9 a.m. - 1 p.m.	1	1
Modesto	San Joaquin, Stanislaus, Merced	Wednesday, January 22, 9 a.m. - 1 p.m. & 1 p.m. - 5 p.m.	2	1
Sonora	Calaveras, Tuolumne, Mariposa, Madera	Thursday, January 23, 8:30 a.m.-12 p.m., 12:30 p.m.-4 p.m., 4:30 p.m.-8 p.m.	3	1
Mammoth Lakes	Mono	Friday, January 24, 1 p.m. - 5 p.m.	1	1
Fresno	Fresno, Tulare	Monday, January 27, 1 p.m. - 5 p.m.	1	1
Bakersfield	Kings and Kern	Tuesday, January 28, 9 a.m. - 1 p.m. & 1 p.m. - 5 p.m.	2	1
Independence	Inyo	Wednesday, January 29, 9 a.m. - 1 p.m.	1	1
San Bernardino	San Bernardino	Thursday, January 30, 9 a.m. - 1 p.m. & 1 p.m. - 5 p.m.	2	1
Santa Barbara	Ventura, San Luis Obispo, Santa Barbara	Friday, January 31, 9 a.m. - 1 p.m., 1 p.m. - 5 p.m.	2	1

Zone 3: Workload Study Dates: February 10 - February 23

Los Angeles	Los Angeles	Monday, February 3 - Friday, February 7; two sessions per day	10	5
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Zone 4: Workload Study Dates: February 17 - March 2

Calexico	Imperial	Monday, February 10, 9 a.m. - 1 p.m.	1	1
Orange	Riverside and Orange	Tuesday, February 11, 8:30 a.m.-12 p.m., 12:30 p.m.-4 p.m., 4:30 p.m. - 8:00 p.m.	4	1
San Diego	San Diego	Thursday, February 13 & Friday 14, 9 a.m. - 1 p.m. & 1 p.m. - 5 p.m.	4	2

Zone 5: Workload Study Dates: March 3 - March 16

San Francisco	Alameda, Contra Costa, Marin, Napa, San Francisco, Solano, Sonoma, San Mateo, Santa Clara	Two sessions per day, February 18 - February 28	18	9
Total Sessions/Days			65	37

Quality Assurance, Compliance, and Confidentiality Measures

During the workload study, participants were given options to ask questions and receive instruction and technical assistance in multiple modalities. A toll-free number and e-mail address were available to contact dedicated American Humane technical support staff. A web page with training information and downloadable copies of workload study materials was created at the Judicial Council of California's web site for participants who could not attend a training or for anyone needing additional tutelage in workload study methodology.

In order to make certain that participants completed the workload study and submitted their data in a timely manner, American Humane staff conducted follow-up phone calls at the end of each respective two-week study period. Follow-up phone calls were again conducted several weeks after the study if participants who had previously been identified as participating had yet to submit their final data. Additional follow-up calls were made to those participants who submitted workload study data on paper logs, as questions often arose concerning time entries or case information. The most common area of incompleteness for those submitting paper logs was the omission of information as to whether a particular case involved a parent or child client.

Confidentiality

Because dependency proceedings are not public in California, steps were taken to keep all workload study data confidential and relatively anonymous in order to protect both client and attorney information.

Workload study participants were asked to attach unique case numbers to all cases for which workload study data was submitted; this was typically a court case number. Attaching case numbers to cases provided an opportunity to analyze the amount of time per case submitted for the study without relying on client names, but created issues of confidentiality. Therefore, all electronic data submissions made through the TimeDataCollector produced scrambled case numbers. This was an automatic function of the TimeDataCollector and was not controlled by American Humane, its study partners, or the AOC. Members of the project team entered paper log submissions received by American Humane manually into a TimeDataCollector file, so that those case numbers would also be scrambled when viewed in the database created for workload study analyses. All copies of the paper logbooks received by American Humane were destroyed. AOC staff did not view raw workload study data; the American Humane office in suburban Colorado was the only specified repository of that data, and it was destroyed.

After the completion of quality assurance and compliance measures, the names of workload study participants were removed from the workload study database and replaced by random number sequences. In that way, the work time reported in the study cannot be individuated or associated with any particular attorney.

Workload Study Results

Participation Rates: Respondents, Time Captured and Cases Touched

The number of electronic and paper log data submissions is detailed in Table 3. Seven hundred and twenty-two participants submitted workload study data. The results show broad participation in the workload study, but not at levels that would suggest participation much above a numeric majority of possible participants. Obviously, the intended participation rate for the study – approaching 100 percent of attorneys and specified support – was not achieved. AOC data identified the number of attorneys eligible for the study (i.e. court-appointed dependency counsel) at 1065, so that the 591 attorneys who submitted data represented only 56 percent of all eligible attorneys in the state. The data does not indicate that those submitting workload study data differed in any systematic way from the general court-appointed dependency counsel population; further, in terms of sampling statistics, a sample of 56 percent is considered to be very powerful for determining results that speak for all members of a study population.

Participant Type	Participant Number	Percent of Total Sample
Attorney	591	81.85%
Social Worker /Investigator	74	10.25%
Paralegal	29	4.02%
Other	28	3.88%

The workload study was designed to derive data concerning services to cases (child or parent clients). Therefore a count of cases worked on during the study is helpful in determining the breadth of data collected. Table 4 shows the number of cases for which data was submitted by county. From the perspective of data robustness, Table 4 shows a generally good coverage of counties and generally good numbers of court-appointed cases – 10,846 child cases, 7,983 parent cases, and 172 de facto parent cases, for a total of 19,002 cases for which workload study data was submitted. This count of cases is somewhat inflated, since if more than one attorney (or an attorney and attorney support) worked on the same case during the study that case would be counted twice. The actual unduplicated case count for the study is 17,385 child, parent, and de facto parent cases across 53 counties.

There are five counties for which no workload study data was submitted – Alpine, Napa, Placer, Sutter, and Trinity, which may be attributable to any of the following:

- No dependency cases were worked on in these counties during the workload study period, therefore attorneys did not submit any data.

- Although cases from some or all of the five counties are part of the data set, the attorney/s who submitted data on these cases selected another county as their primary county designation. This could occur in those instances where an attorney practiced in more than one county, but based on workload study training instructions, selected his/her primary county of practice for county designation.
- No attorneys from these counties chose to participate in the workload study.

Table 4: Number of Workload Study Cases by County

County	Child Case	Parent Case	De Facto Parent Case	Total	County	Child Case	Parent Case	De Facto Parent Case	Total
Alameda	514	159	2	675	Orange	763	748	10	1521
Amador	25	0	0	25	Plumas	8	13	0	21
Butte	162	310	13	485	Riverside	306	422	2	730
Calaveras	21	4	0	25	Sacramento	545	535	7	1087
Colusa	9	2	0	11	San Benito	9	25	0	34
Contra Costa	369	353	3	725	San Bernardino	286	315	3	604
El Dorado	51	46	4	101	San Diego	1468	706	1	2175
Fresno	408	250	13	671	San Francisco	240	189	6	435
Glenn	5	10	0	15	San Joaquin	191	217	4	412
Humboldt	97	79	4	180	San Luis Obispo	71	108	0	179
Imperial	28	27	0	55	San Mateo	66	73	2	141
Inyo	8	24	0	32	Santa Barbara	72	38	1	111
Kern	447	292	2	741	Santa Clara	1050	558	3	1611
Kings	58	38	2	98	Santa Cruz	53	44	0	97
Lake	47	27	0	74	Shasta	68	119	0	187
Lassen	0	6	0	6	Sierra	1	0	0	1
Los Angeles	2627	1349	68	4045	Siskiyou	34	50	0	84
Madera	0	25	0	25	Solano	99	10	0	109
Marin	56	42	2	100	Sonoma	144	177	3	324
Mariposa	9	10	1	20	Stanislaus	22	81	2	105
Mendocino	35	28	2	65	Tehama	18	18	0	36
Merced	94	92	5	191	Tulare	64	75	1	140
Modoc	2	2	2	6	Tuolumne	0	40	0	40
Mono	2	1	0	3	Ventura	73	107	2	182
Monterey	13	1	0	14	Yolo	100	111	0	211
Nevada	3	20	2	25	Yuba	5	7	0	12
Total					Total	10846	7983	172	19002

Missing data from any county is a concern, however given that these counties have relatively few dependency cases the impact of this missing data is minimal. As of March 2003 the counties for which no data was submitted had 1,307 open dependency cases. This represents 1.1 percent of the total of 118,724 open cases statewide during the same period.⁶

Another way to look at numbers of cases for which work was completed in the workload study is to break down the number of cases by statutory hearing classification and case phase, as is shown in Table 5. Note that the number of cases in Table 5 is larger than in the county-by-county count because the count in Table 5 is "duplicative," that is, cases changing status during the workload study are counted twice – once in the original hearing classification, and again in the new hearing classification after status change. As shown in Table 5, cases worked on were most commonly at the review hearing (39.8 percent) or post-permanent plan phase (24.45 percent). Almost 20 percent of cases were at the jurisdiction/disposition stage, while fewer cases were at detention or the ".26 hearing" stage.

The total amount of case-service time is represented in Table 6. For this table, and all other displays of workload study data, the appearance of time in seconds is the result of mathematical rounding. Participants recorded all time in hours and minutes.

Table 6 shows that a total of 23,506 hours of casework time were recorded across the two-week workload study measurement period. The overall average (mean) time-per-case was approximately one hour, statewide, regardless of case (client) type. This average is for all participants, whether attorney or support. As expected, however, the amount of time per case varies widely, as illustrated by the minimum and maximum time-per-case values.

For a two-week study period, it is expected that most participants would submit data reflecting approximately 10 days of work and 80 hours. The data conforms to this basic expectation: 78.3 percent of participants submitted 10 days or more of workload study data. The majority of participants (65.4 percent) recorded between 9 and 11 days of data. The median total number of hours submitted by participants was 80:54.

The median number of hours per day for which workload study data was submitted was exactly eight. Fifty percent of participants submitted data reflecting between 6:45 and 9:00 per day. The other 50 percent was distributed evenly above and below this range.

⁶ 855 cases out-of-home placement, 452 in-home placement; 88,827 cases out-of-home placement, 29,897 in-home placement cases. See http://www.dss.cahwnet.gov/research/CWS-CMS1-C_408.htm, March 2003 for out-of-home statistics and 2002 Family Maintenance report, DSS Research Unit Publication (not available on-line) for in-home placement figures.

Table 5: Count of Workload Study Cases by Case Phase

		Child Case	Parent Case	De Facto Parent Case	Total
Pre-Detention	Count	598	543	3	1144
	% within Case Type	3.70%	4.30%	1.10%	3.93%
At Detention	Count	483	511	5	999
	% within Case Type	3.00%	4.00%	1.80%	3.43%
<i>Detention Total</i>	Count	1081	1054	8	2143
	% within Case Type	6.70%	8.30%	2.90%	7.36%
Pre-Juris/Dispo	Count	1657	1800	22	3479
	% within Case Type	10.30%	14.10%	7.90%	11.95%
At Juris/Dispo	Count	1110	1193	14	2317
	% within Case Type	6.90%	9.30%	5.00%	7.96%
Dispos. Appeal	Count	3	4	0	7
	% within Case Type	0.00%	0.00%	0.00%	0.02%
<i>Juris/Dispo Total</i>	Count	2770	2997	36	5803
	% within Case Type	17.20%	23.40%	12.90%	19.93%
Pre-Review	Count	4412	3277	59	7748
	% within Case Type	27.50%	25.70%	21.10%	26.62%
At Reviews	Count	1831	1947	38	3816
	% within Case Type	11.40%	15.30%	13.70%	13.11%
Review Appeal	Count	6	16	0	22
	% within Case Type	0.00%	0.10%	0.00%	0.08%
<i>Review Total</i>	Count	6249	5240	97	11586
	% within Case Type	38.90%	41.10%	34.80%	39.80%
Pre-".26"	Count	788	739	18	1545
	% within Case Type	4.90%	5.80%	6.50%	5.31%
At ".26"	Count	400	440	6	846
	% within Case Type	2.50%	3.40%	2.20%	2.91%
".26" Appeal	Count	16	53	0	69
	% within Case Type	0.10%	0.40%	0.00%	0.24%
<i>".26" Total</i>	Count	1204	1232	24	2460
	% within Case Type	7.50%	9.60%	8.70%	8.45%
Pre-P.Perm	Count	3269	1340	68	4678
	% within Case Type	20.40%	10.50%	24.40%	16.07%
At P.Perm	Count	1479	886	46	2411
	% within Case Type	9.20%	6.90%	16.50%	8.28%
P.Perm Appeal	Count	10	19	0	29
	% within Case Type	0.10%	0.10%	0.00%	0.10%
<i>P. Perm Total</i>	Count	4758	2245	114	7118
	% within Case Type	29.70%	17.50%	40.90%	24.45%
Total	Count	16062	12768	279	29110
	% within Case Type	100.00%	100.00%	100.00%	100.00%

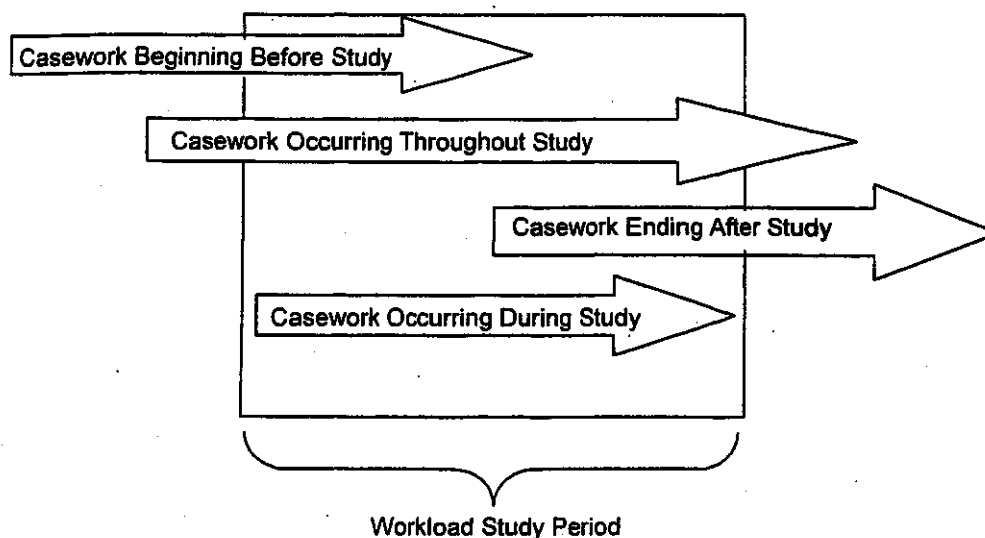
Table 6: Average Time per Case (mean and median) and the Sum of All Time Measured

Case Type	Mean	Median	Minimum	Maximum	Sum	% of Total
Child Case	0:58:31	0:30:00	0:01:00	42:53:00	12731:50:00	54.20%
Parent Case	1:00:04	0:30:00	0:01:00	57:58:00	10532:38:00	44.80%
De Facto Parent	1:03:14	0:22:00	0:02:00	14:47:00	239:14:00	1.00%
Total					23,506:20:00	

Casework Duration and the Representativeness of Data

For any workload study of limited duration, a question must be raised as to how representative the data is to the actual flow and duration of casework. In a two-week study it is possible that only a portion of overall casework is captured, requiring a weighting or other modification of captured time. The logical possibilities of casework duration in relation to the workload study time frame can be found in Figure 1.

Figure 1: Patterns of Case Work Relative to the Workload Study



The assumption of a workload study of broad representation (involving a large sample across the state) is that work is evenly distributed, so that case services begun before the start of the study (but included in the study period) and case services ending after the study (but included in the study period) are evenly represented across all case service types. Of greater concern is the possibility that case service duration is greater than the two-week study period, meaning that case service work both begins and ends outside the scope of the workload study, which would leave some routine services to cases unmeasured.

In order to determine if case service work routinely is of long duration, an analysis was conducted of the number of consecutive days that cases received services. All casework was recorded on "log sheets" (for the electronic TimeDataCollector, a type of spreadsheet entry, for those completing the paper log a literal log sheet), which specified the date upon which an activity or task was completed. By analyzing the number of days that the same cases were worked on, the duration (in days) of case service work was computed.

Table 7: Casework Duration in Days and Time per Case

Count of Days	Number of Cases	Percent of Cases	Cumulative Percent of Cases	Mean Time per Case	Median Time per Case	Mean Time Increase (percent)
1	13322	63.80%	63.80%	0:31:00	0:20:00	
2	5059	24.23%	88.02%	1:02:00	0:40:00	200.00%
3	1515	7.26%	95.28%	1:53:00	1:17:00	182.26%
4	568	2.72%	98.00%	2:50:00	2:05:00	150.44%
5	236	1.13%	99.13%	4:22:00	3:13:00	154.12%
6	105	0.50%	99.63%	6:07:00	4:50:00	140.08%
7	35	0.17%	99.799%	7:54:00	5:31:00	129.16%
8	25	0.12%	99.919%	10:09:00	8:30:00	128.48%
9	13	0.06%	99.981%	16:13:00	10:50:00	159.77%
10	2	0.01%	99.990%	44:09:00	44:09:00	272.25%
11	1	0.00%	99.995%	5:01:00	5:01:00	-
13	1	0.00%	100.000%	30:08:00	30:08:00	-
Total	20882	100.00%		0:55:00	0:30:00	

As can be seen in Table 7, over 95 percent of cases received all services during three days of the study measurement period, and 98 percent received services within four days. Given this, it is unlikely that significant case service time was unmeasured during the workload study. Further, the relative increase in case service time per day does not increase uniformly with additional days: Although the increase in time per case doubles from one day of service to two (a 200 percent increase), there is only a 150 percent increase from a third to fourth day of service, and the proportional increase in service time reduces further subsequently. It can therefore be said that the workload study captured most of the work within a hearing classification for most all of the cases "touched" during the workload study. The likelihood that large amounts of case service time were unmeasured due to a long duration of service (beginning before the study period and ending after the study period) is small in terms of both numbers of cases and associated case service time.

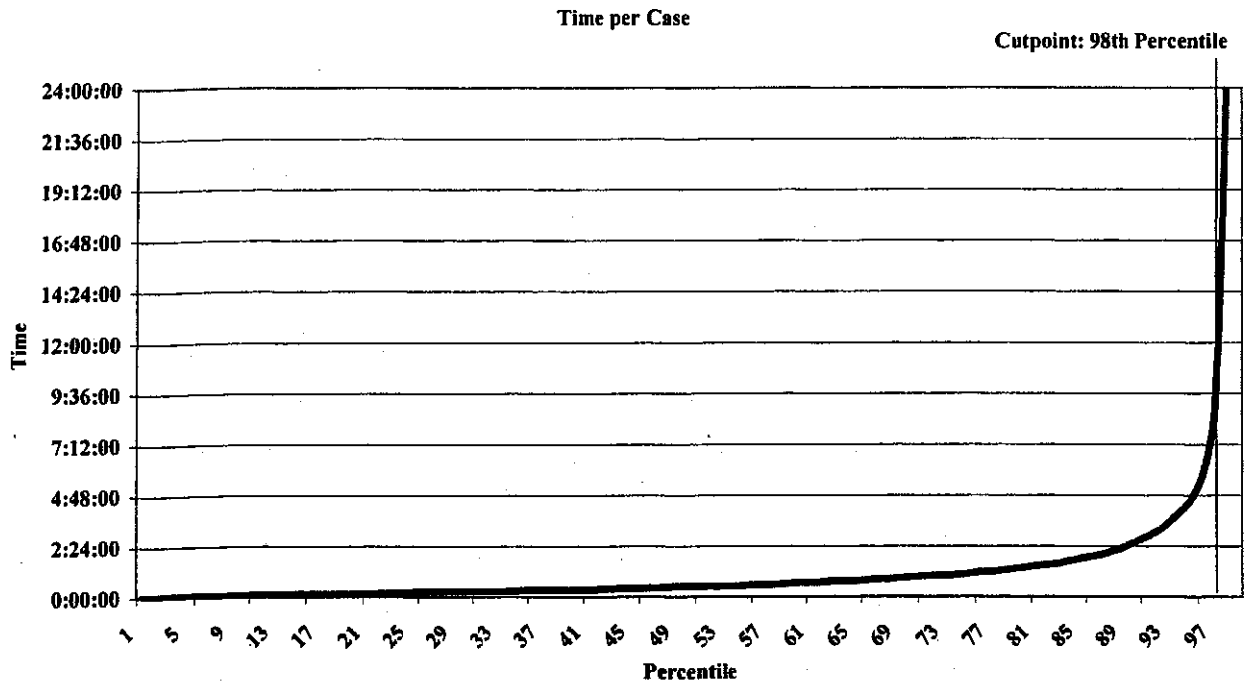
Treatment of Outliers and Other Modifications to Data

Initial data analyses were designed to provide descriptive information concerning work-time recorded in the workload study, and to begin to answer key questions about the services that are provided to child and parent clients. The most critical of these initial analyses concerned outliers in the time-study data. As was shown in Table 6, the amount of casework time can be quite varied. It is often the case in workload study data that these extreme individual case entries can have a pronounced effect on the data, especially if that data is segregated in rather detailed activity items (as was the case in this study) as there tend to be fewer responses coded to each activity. Studies using broader categories have more data contained in each item, and are therefore less sensitive to individual scores.

Figure 2 shows an analysis of time-per-case values arrayed as a percentage of the total distribution. As can be seen in the figure, the distribution from nearly 0 (the minimal time value of two minutes that was stipulated in time study instructions) through seven hours per-case rises at a relatively steady rate. Above eight hours of work per case – at the 98th percentile in the distribution – the time per case suddenly steeply rises. This pattern exists at the general aggregate level (for average time per case statewide) as well as for individual activities. In a uniform way, then, the 98th percentile in the distribution contains outliers – those cases that have an inordinate amount of time attached to them.

In order to draw conclusions concerning average case time, rather than be influenced by very infrequent and time-consuming events, data exceeding the 98th percentile were dropped from all analyses. Additionally, in many analyses presented for this study, median time values are discussed. Median values – which are the middle value in any distribution – are less sensitive to outliers than the mean, an arithmetic average.

Figure 2: Increase in Case Time by Percentile Distribution



In addition to the treatment of outliers, an additional modification to the data was required. When discussing work time with attorneys at the initial stages of the Caseload Study, it became apparent that attorneys often “multi-task,” that is, conduct the same activity on multiple cases at the same time. In order to deal with this issue, the logs used for the study (whether electronic or paper) contained an option for indicating “Multiple Cases” rather than specifying any one case. This created a single time value specifying time associated with an activity involving two or more cases. In order to create uniform time-per-case values, the time for “Multiple Case” activities was divided by the number of cases indicated, creating single average time-per-case values.

Dependency Case Time vs. Non-Case Time

Any analysis of workload must take into account the fact that all work time is not related to casework. This additional “non-case time” refers to any attorney work not related to court-appointed dependency cases, administrative duties (such as supervision of employees and billing), and time off. An analysis of dependency case time and other time is found in Table 8. Workload study results indicated that 66.3 percent of all attorney time was spent on casework, statewide. This is a finding parallel to many public and private organizations in terms of the proportion of work to administrative and leave time.

Table 8: Mean Per-Attorney Case and Non-Case Time

	Mean Time	% of Total Time
Dependency Case Time	37:57	48.10%
Non-Dependency Case Work	22:00	18.20%
Lunch, Leave, Vacation, Holiday, etc.	22:43	22.20%
Administrative Tasks (Copying, Filing, etc.)	5:46	6.00%
Supervision (Reviewing Work, Performance Review)	5:23	1.80%
Time to Complete Workload Study	3:34	3.70%
Dependency Plus Non-Dependency Case Work		
	59:57	66.30%
Non-Case Total		
	13:26	33.70%

The amount of non-case time shown in Table 8 may be somewhat inflated, as it reflects the workload study submissions of both full- and part-time dependency attorneys. It also may be inflated by attorneys' use of the category "Lunch, Leave, Holiday, Vacation, etc.," which was so broad as to account for all un-paid time gaps. The "Lunch, Leave, Holiday, Vacation" activity may have been utilized in many ways by workload study participants – especially by part-time dependency attorneys with broad gaps in their workday devoted to non-case activities that fit into no other category.

In order to avoid inflating the amount of non-case time associated with dependency practice, "administrative time" was re-defined to a higher standard. The category "Lunch, Leave Vacation, Holiday etc." was removed from the analysis, in order to focus only on administrative and supervisory activities. Additionally, the analysis of case vs. non-casework time was limited to those attorneys who submitted at least 35 hours per workload study week of dependency casework and administrative time combined. Table 9 shows an analysis of case vs. non-casework-related activities for full-time dependency attorneys.

Table 9: Casework vs. Non-Case Time, Full-Time Dependency Attorneys Only

Per Attorney Dependency Case/Non-Dependency Case Time	N	Mean Time
Dependency Case Work	278	53:29:44
ADMINISTRATIVE TASKS (COPYING, FILING, BILLING ETC)	248	5:08:10
LEAVE, VACATION, HOLIDAY	263	20:19:20
NON-DEPENDENCY CASE WORK	162	9:53:34
SUPERVISING (REVIEWING WORK, PERFORMANCE REVIEWS)	78	3:24:50
TIME TO COMPLETE WORKLOAD STUDY	250	4:18:45

	Time	% of Total
Dependency Plus Non-Dependency Case Time	63:23:18	83.13%
Admin Time (administrative, supervisory, workload study)	12:51:45	16.87%
Total Non-Leave Time	76:15:03	

By re-defining administrative time to omit “Leave” or “time gaps” used broadly by workload study participants, casework time is derived as a percentage of time available for dependency plus non-dependency casework, with “administrative time” narrowly defined as pure administrative work, supervision, and time to complete the workload study. This leads to a ratio of casework to non-case time of 83 percent. Given that the “Leave” category could be used in ways other than to depict the amount of actual leave time, the figure of 83 percent available dependency casework time is used in caseload model building as outlined later in this report as it is a more well defined case-service time value.

Workload Study Data

Attorney workload study data is provided in detail in Appendix 6. The results are most useful for activity and task level comparison to the suggested times identified by structured estimation focus group participants and reflected in caseload standards, as outlined in the following section.

Workload study results with respect to the Investigation Topic and Case Characteristics checklists will be included in the final Caseload Study report; specific workload study results reflecting support staff submissions and cases comprised of sibling groups are provided under separate cover as part of the request for comment materials.

Structured Estimation

The workload study was designed to quantify current practice; alternative methods were required to identify the amount of time required for improved practice levels. A key assumption of the Caseload Study was that dependency counsel are motivated to provide quality legal services but may be constrained in so doing by current workload levels. In order to determine how much additional time, on average, would be needed to ensure improved practice, the Caseload Study included a component designed to quantify attorney performance based on two hypothetical standards: 1) a “basic practice standard,” where all mandated activities are completed to a base level of performance; and 2) an “optimal practice standard,” where enough time is available to provide each case with the complete complement of needed legal services. To determine the time values for these two standards, groups of attorneys met in a series of Structured Estimation focus groups and identified both the amount of time required to complete case service actions (taken from the Activity and Task List) under the two standards and the percentage of their caseloads that would require specific activities to be performed in order to meet both standards. This process resulted in eight measures:

1. The amount of time required to provide case services at a basic, minimum standard of competent practice (parent and child cases);
2. How often that service would be required to meet a minimum standard of practice - expressed as a percentage of the total attorney caseload to which the action would apply - (parent and child cases),
3. The amount of time required to provide case services at an optimum best practice standard (parent and child cases); and
4. How often that service would be required to meet an optimum standard of practice - expressed as a percentage of the total attorney caseload to which the activity would apply - (parent and child cases).

Development of the Structured Estimation Tool

The Activity and Task List is a very detailed listing of case services – so detailed, in fact, that the resulting list, across all hearing classifications, contains over 200 unique items – too many for focus group participants to have addressed as part of the structured estimation process. In order to reduce the size of the list under consideration many tasks from the Activity and Task List were collapsed into their larger respective activity categories. For instance, for all hearing classifications, time estimates were made for the activity “Trial Preparation” as a whole, rather than for the specific tasks contained within that activity. The roll-up of tasks created larger “service units” for estimation. American Humane identified these service units in consultation with the AOC. Decisions as to which tasks to roll-up and which specific tasks to retain for service unit estimation were based on each task’s perceived relevance to standards of practice. A list of service units utilized for the structured estimation focus groups can be found in Appendix 7.

Data analysis was conducted on workload study results yielding average per-case values for the service units specified for structured estimation. These results can also be found in Appendix 7.

Structured Estimation Focus Group Methodology

In a majority of the structured estimation focus groups participants were split into two sub-groups, with one group utilizing workload study results to inform its estimations (“informed” group) and one group developing estimations absent those results (“blind” group).⁷

Within the blind and informed focus groups participants were asked to provide numerical estimates for each structured estimation service unit addressing both time required to complete and frequency of occurrence. Although participants were provided with worksheets listing the units of service for estimation, each group ultimately developed a single group estimation product. Focus group facilitators entered group estimates into MS/Excel templates and displayed those results to participants as the estimation process progressed. This served as both edit check on that data entry (participants could see their data being entered into the group worksheet) and an opportunity for participants to review and revise estimates as they went along.

Groups of attorneys were convened throughout the state for six-hour structured estimation sessions. Given the breadth of material to be covered, it was assumed that time estimates for all hearing classifications would not be developed by each focus group. In order to ensure that estimates were developed for all hearing classifications the order of hearing classification presentation was randomized, so that not all focus groups began with activities related to the hearing classification “Beginning through Detention Hearing,” for example. This randomization had one caveat: because case-work related to jurisdictional/dispositional and review hearings was of special importance (because of the perceived attorney time requirement associated with the first hearing type and the percentage of cases in the second), group participants began their estimation work with one of these two hearing classifications more often than would have occurred randomly.

Since the order of presentation was somewhat randomized, and the groups did not move through the list of services at the same pace, a non-uniform pattern of completion of the structured estimation tools occurred. The pattern of hearing classifications and conditions addressed is presented in Table 10.

Results for the blind and informed condition groups were analyzed to determine if certain single groups within each condition produced results that were at odds with the other groups. This analysis looked for “outliers,” defined as estimates of a service unit that were more than the 90th percentile above or below the average for all other estimates. Although there was some quite pronounced variation in specific estimates no scores were considered outliers; therefore all scores were retained for analysis. This way of looking at outliers has one drawback in that it

⁷ Focus group participants were typically not separated if they consisted of less than 6 people. This occurred in three focus group locations.

compares only a handful of scores (in some conditions as few as two groups provided data). Most statistical analyses of outliers are designed to compare large groups of scores. Therefore, it must be stated that the results of this outlier analysis are not definitive. It is also important to note that any analysis of outliers is as much subjective as objective. An analysis that includes scores within 90 percent of the distribution is very liberal. It was deliberately made so in order to preserve as many scores as possible, so that a large number of contributions to the structured estimation effort could be retained.

Analysis of the difference between blind and informed estimates showed that blind estimates were systematically higher than informed estimates. This was generally consistent for type of client, child or parent, and for type of estimate, basic or optimal. Since this effect was generally equivalent across the factors of interest in the structured estimation results (rather than systematic for one or a few factors), the results for blind and informed groups were pooled – that is, all analyses of structured estimation data for both basic and optimal practice standards are based on the average scores of blind and informed groups.

Table 10: Structured Estimation Group Locations and Hearing Classifications Considered

Hearing Classifications:		Through the	.26 Hearing/	Through Post
Beginning	Through	End of	39.1B Writ	Permanency
Through	Jurisdiction/	Reunification		
Defention	Disposition			
Hearing				
Conditions:				
Child Blind	Los Angeles1 Sacramento San Diego San Francisco	Los Angeles1 Los Angeles2 Redding Sacramento	Fresno Redding San Jose	Sacramento San Diego San Francisco
Child Informed	Fresno Los Angeles2 Sacramento Ukiah	Los Angeles2 Orange Redding Sacramento San Francisco Ukiah	Los Angeles2 Redding	San Francisco
Parent Blind	Los Angeles1 Sacramento San Diego San Francisco SJ	Los Angeles1 Los Angeles2 Redding Sacramento San Francisco	Fresno Redding San Jose	Sacramento San Diego
Parent Informed	Fresno Los Angeles1 Los Angeles2 Sacramento San Jose Ukiah	Los Angeles1 Los Angeles2 Orange Redding Sacramento San Francisco	Los Angeles2 Redding San Jose	Orange

Structured Estimation Results

The results of the structured estimation process identified both the time required to perform specific services and the likelihood that any given case would require that service, for both “basic” and “optimal” practice standards.

Modeling requisite attorney case service time from the structured estimation results required taking into account the service unit times estimated by the structured estimation groups and the likelihood (represented by a percentage) that any given service unit would be required for a case. Therefore, for each service unit, the estimated attorney time required was multiplied by the percentage of cases for which the service was considered applicable. This produced weighted hearing classification case times for the basic and optimal conditions of estimation, based on the likelihood that each particular service would be performed. Table 11 illustrates this point for the hearing classification End of Disposition through Permanency; structured estimation results for each hearing classification follow.

Structured Estimation Data: Version 1

Begin thru Detention Hearing: Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	20	20	20	20
52%	9	11	5	9
7%	44	23	3	2
83%	38	43	31	39
24%	10	18	2	7
75%	22	22	17	16
84%	25	19	21	18
66%	45	29	29	18
100%	18	19	18	18
0.01875	21.25	22.25	0.3984375	0.46725
0.29	69.375	181.5	20.11875	48.0975
10%	103	119	11	13
90%	35	38	31	33
1%	210	390	1	4
Total	669	953	210	245
Casetime	669	953	210	245
Hours	11.2	15.9	3.50	4.08

Begin thru Detention Hearing: Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	33	36	33	36
59%	15	17	9	14
14%	52	51	7	7
89%	48	59	42	55
28%	13	32	4	12
88%	28	30	24	25
90%	31	28	28	28
83%	55	48	46	38
100%	24	28	24	26
0.03125	26.25	26.25	0.820313	0.81375
0.3525	82.5	333	29.08125	111.7215
18%	107	122	19	24
82%	40	43	33	34
1%	225	390	1	12
Total	778	1,241	300	424
Casetime	778	1,241	300	424
Hours	12.97	20.69	5.00	7.06

Activity 1 Case Preparation

- Document review and Obtain and review discovery
- Notes to file and Draft orders
- Legal research
- Communicate with client in-person
- Communicate with client
- Communicate with child welfare worker
- Communicate with other counsel
- Communicate with others
- Other investigation or case management activity

Activity 2 Motions and Other Hearings

Activity 3 Detention Hearing Trial Prep

Phase B. At Initial/Detention Hearing Conduct hearing (witnesses testify)

Conduct hearing (witnesses do not testify)

Phase C. File Writ Prepare and file notice of appeal

Prepare/File/Respond/Argue Writ

Structured Estimation Data: Version 1

End of Detention through Juris/Dispo: Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
99.88%	37	41	37	41
91%	20	11	18	8
28%	28	30	8	10
90%	32	46	29	42
23%	11	20	3	13
99%	21	20	21	15
94%	14	17	13	16
81%	41	30	34	20
56%	29	40	16	17
58%	80	84	46	49
37%	131	247	48	94
10%	135	208	13	21
30%	9	19	3	6
12%	192	225	23	29
28%	12	22	3	6
9%	241	241	22	25
36%	32	32	12	13
2%	9	14	0	1
1%	443	750	5	26
Total	1516.38	2095.72	353	450
Casetime	1516.38	2095.72	353	450

Hours 25.27 34.93 5.88 7.50

End of Detention through Juris/Dispo: Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
99.88%	77	75	77	75
97%	23	30	23	29
34%	54	54	18	21
99%	61	83	60	80
33%	23	37	7	37
100%	36	41	36	39
96%	35	34	33	33
95%	63	56	59	49
62%	46	64	29	38
69%	114	120	78	82
33%	274	521	89	182
10%	244	238	23	26
39%	30	24	12	7
13%	266	259	35	35
33%	32	31	10	8
10%	345	300	35	27
41%	39	40	16	19
3%	14	14	0	1
3%	1,223	1,238	37	69
Total	2,998	3,260	679	858
Casetime	2,998	3,260	679	858

Hours 49.96 54.33 11 14

Phase A Before Hearing
Activity 1
Case Preparation

- Document review and Obtain and review discovery
- Notes to file and Draft orders
- Legal research
- Communicate with client in-person
- Communicate with client
- Communicate with child welfare worker
- Communicate with other counsel
- Communicate with others
- Other investigation or case management activity

Activity 2
Motions and Other Hearings

Activity 3
Juris Dispo Trial Prep

Phase B At Hearing -

- Juris Only
- Conduct hearing (witnesses testify)
- Conduct hearing (witnesses do not testify)
- Dispo Only
- Conduct hearing (witnesses testify)
- Conduct hearing (witnesses do not testify)
- Juris/Dispo Combined
- Conduct hearing (witnesses testify)
- Conduct hearing (witnesses do not testify)
- Phase C File Notice or Appeal of Writ
- Prepare and file notice of appeal
- Prepare/File/Respond/Argue Writ

Structured Estimation Data: Version 1

End of Disposition through Permanency Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
98%	55	29	54	28
77%	33	17	26	12
25%	32	41	8	12
84%	56	45	47	36
60%	41	41	25	37
92%	57	46	53	40
94%	41	42	39	40
86%	119	57	102	40
66%	40	28	26	17
63%	90	101	57	52
			0	0
35%	128	139	45	46
12%	98	104	12	12
60%	22	20	13	12
14%	188	186	26	20
5%	28	26	1	1
3%	24	18	1	1
3%	543	573	17	19
Total	1,591	1,511	549	425
Casetime	1,591	1,511	549	425
Hours	26.52	25.18	9.16	7.09

End of Disposition through Permanency; Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
98%	107	49	105	48
76%	72	25	55	19
39%	61	63	24	26
94%	130	84	123	77
81%	65	67	53	65
97%	93	64	91	63
97%	81	74	79	72
94%	238	110	224	103
76%	91	57	69	38
83%	126	124	104	80
37%	243	238	90	85
18%	101	126	18	20
56%	24	22	13	13
11%	195	239	22	28
4%	33	29	1	1
5%	24	18	1	1
5%	760	980	41	39
Total	2,444	2,367	1,114	777
Casetime	2,444	2,367	1,114	777
Hours	40.74	39.44	18.55	12.93

Activity 1 Case Preparation

- Document review and Obtain and review discovery
- Notes to file and Draft orders
- Legal research
- Communicate with client in-person
- Communicate with client
- Communicate with child welfare worker
- Communicate with other counsel
- Communicate with others

Other investigation or case management activity

Activity 2 Mediators and Other Hearings

Activity 3 Review Hearing Trial Preparation

- Phase B Statutory Review Hearing
- Conduct hearing (witnesses testify)
- Conduct hearing (witnesses do not testify)
- Termination of Reunification
- Conduct hearing (witnesses testify)
- Conduct hearing (witnesses do not testify)
- Phase C File notice of appeal or writ
- Prepare and file notice of appeal
- Prepare/File/Respond/Argue Writ

Structured Estimation Data: Version 1

26 Hearing/39.1B Writ; Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	80	80	80	80
76%	42	30	32	22
51%	46	55	24	31
87%	43	43	37	32
69%	29	30	20	24
92%	39	15	36	11
94%	39	27	37	25
96%	46	43	44	31
90%	39	41	35	26
57%	87	230	49	155
16%	50	23	8	8
17%	35	32	6	9
32%	140	365	45	167
17%	260	650	43	276
2%	110	98	2	3
1%	80	45	1	0
27%	20	85	5	23
8%	20	65	2	5
17%	20	10	3	2
15%	20	-	3	0
10%	20	-	2	0
0.5%	20	-	0	0
2%	20	-	0	0
Total	1,284	1,966	514	931
Casetime	1,284	1,966	514	931
Hours	21.40	32.77	8.56	15.51

26 Hearing/39.1B Writ; Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	139	100%	139	92
76%	38	76%	29	27
52%	108	59%	57	37
97%	88	87%	86	53
74%	33	93%	25	40
100%	56	87%	56	29
100%	70	100%	70	45
96%	113	81%	109	65
88%	169	62%	148	44
61%	195	74%	120	233
16%	45	38%	7	10
17%	75	29%	13	12
32%	320	45%	104	204
17%	840	43%	139	355
2%	193	4%	4	5
1%	60	1%	0	1
23%	175	23%	41	23
17%	28	1%	5	1
0%	-	2%	0	0
10%	390	0%	39	0
15%	28	0%	4	0
1%	8	0%	0	0
2%	590	0%	12	0
Total	3,761	2,527	1,205	1,275
Casetime	3,761	2,527	1,205	1,275
Hours	62.68	42.12	20.08	21.25

Activity 1
Case Preparation

- Document review and Obtain and review discovery
- Notes to file and Draft orders
- Legal research
- Communicate with client in-person
- Communicate with client
- Communicate with child welfare worker
- Communicate with other counsel
- Communicate with others
- Other investigation or case management activity

Activity 2
Motions and Other Hearings

- Prepare and file notice of intent to file
- Request preparation and/or augmentation of record
- Review Record
- Preparation and filing of pleadings
- Oral Argument
- Draft settlement/order language

Activity 3
39.1B Writs

- Prepare and file notice of intent to file
- Request preparation and/or augmentation of record
- Review Record
- Preparation and filing of pleadings
- Oral Argument
- Draft settlement/order language

Activity 4
26 Hearing Trial Preparation

- Conduct hearing (witnesses testify)
- Conduct hearing (witnesses do not testify)
- Phase B. At 26 Hearing: Adoption Indicated 50%
- Conduct hearing (witnesses testify)
- Conduct hearing (witnesses do not testify)
- Phase C. File Notice of Appeal or Writ
- Prepare and file notice of appeal
- Prepare/File/Respond/Argue Writ

STRUCTURED ESTIMATION DATA: Version 1

through Post Perm Plan: Basic		through Post Perm Plan: Optimal		
	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
Activity 1 Case Preparation	16	23	16	23
Document review and Obtain and review discovery	8	11	5	10
Notes to file and Draft orders	31	29	2	4
Legal research	50	30	45	8
Communicate with client in-person	58	15	33	8
Communicate with client	60	15	41	9
Communicate with child welfare worker	23	13	7	11
Communicate with other counsel	70	44	67	10
Communicate with others				
Other investigation or case management activity	43	44	34	20
Activity 2 Motions and other Hearings	107	158	111	32
Activity 3 Review Hearing Trial Preparation	230	105	122	3
Phase B At post perm plan hearing	110	105	3	2
Conduct hearing (witnesses testify)	18	24	13	15
Conduct hearing (witnesses do not testify)				
Phase B At post perm plan hearing: adoption indicated	155	-	0	0
Conduct hearing (witnesses testify)	12	-	1	0
Conduct hearing (witnesses do not testify)				
Phase C File notice of appeal or writ	10	14	0	0
Prepare and file notice of appeal	700	300	119	2
Prepare/File/Respond/Argue Writ				
Total	1,698	928	620	155
Casetime	28.30	15.46	10.33	2.58
Hours	36.71	34.00	9.21	4.61

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	100%	100%	32	38
59%	88%	91%	13	22
8%	14%	20%	37	5
90%	25%	70%	130	129
57%	53%	54%	85	60
68%	60%	75%	65	65
32%	88%	90%	28	10
95%	23%	45%	90	86
80%	45%	50%	88	75
104%	20%	20%	137	39
53%	3%	3%	280	12
3%	2%	2%	115	4
76%	63%	52%	20	15
0%	0%	0%	160	0
7%	0%	0%	14	1
1%	3%	3%	10	0
17%	1%	1%	900	8
Total	2,202	2,040	552	276
Casetime	36.71	34.00	9.21	4.61
Hours	36.71	34.00	9.21	4.61

An analysis of the structured estimation data absent adjustment for frequency of activity or task occurrence (found in the columns headed Child or Parent "Blind and Informed Reconcile") is the most useful for understanding its implications for dependency counsel standards of practice. For instance, the data suggests that, under a basic standard of practice, there should be in-person client communication between child's counsel and client in 83 percent of cases prior to a detention hearing, and that that communication should take approximately 38 minutes. This compares to a workload study-measured frequency of 28 percent and time duration of 20 minutes for the same task; a detailed comparison of detention hearing workload study and structured estimation data is provided in Table 12. A comparison of workload study and structured estimation activity and task time values for all hearing classifications is provided in Appendix 8.

Table 12: Comparison of Measured Work to Standards; Child Cases, Detention

Workload Study Data: Child Cases					% of cases receiving hearing	Basic Standard		Optimal Standard	
Time	Sum	N	Mean	Median		Percent	Time	Percent	Time
service units: Pre-Detention Discovery/Doc Review					61.03%	100.00%	0:19:10	100.00%	0:32:00
Time	103:56		357	0:17:28		0:15:00			
service units: Pre-Detention Notes to File/Draft Orders					9.74%	51.50%	0:09:25	59.00%	0:15:00
Time	12:55:59		57	0:13:36		0:10:00			
service units: Pre-Detention Legal Research					0.85%	7.31%	0:44:13	13.88%	0:51:14
Time	3:25:00		5	0:41:00		0:15:00			
service units: Pre-Detention Communicate w/client in-person					28.03%	82.50%	0:38:00	89.38%	0:47:00
Time	71:57:00		164	0:26:19		0:20:00			
service units: Pre-Detention Communicate w/client					8.55%	23.50%	0:09:05	28.13%	0:12:10
Time	20:59:00		50	0:25:11		0:20:00			
service units: Pre-Detention Communicate w/child welfare worker					14.70%	75.00%	0:22:00	87.50%	0:27:00
Time	23:18:00		86	0:16:15		0:12:00			
service units: Pre-Detention Communicate w/other counsel					15.38%	84.13%	0:25:00	90.38%	0:31:00
Time	19:33:00		90	0:13:02		0:10:00			
service units: Pre-Detention Communicate w/other					12.65%	65.63%	0:45:15	83.13%	0:55:00
Time	19:47:00		74	0:16:02		0:15:00			
service units: Pre-Detention Other Case Management Activity					5.30%	100.00%	0:18:00	100.00%	0:24:00
Time	21:54:00		31	0:42:23		0:10:00			
service units: Pre-Detention Motions and Other Hearings					7.86%	1.88%	0:21:25	3.13%	0:26:00
Time	18:41:00		46	0:24:22		0:19:00			
service units: Detention Trial Preparation					6.84%	29.00%	1:15:15	35.25%	1:22:00
Time	21:41:00		40	0:32:31		0:25:00			
service units: At Detention Hearing: Witnesses Testify						10.25%	1:45:05	17.75%	1:46:14
Time	22:19:00		40	0:33:29		0:20:00			
service units: At Detention Hearing: Witnesses do not Testify						89.75%	0:35:00	82.25%	0:40:00
Time	158:26		545	0:17:27		0:15:00			
Detention Hearings:									
									585

Table 12 shows workload study detention hearing activity/task time values and frequencies and those identified at both basic and optimal standards.

Given that statutory requirements stipulate a short timeframe between removal and detention hearing, it can be said with some confidence that the workload study captured most (if not all) of the work associated with those detention hearings occurring during the study. It is therefore possible with detention hearings to view the relationship between the total number of cases in a hearing classification, as indicated by the number of hearings for which there was data submitted, and the number of times a service was performed. As illustrated in Table 12, there were 585 detention hearings that occurred during the study period (545 where there was no testimony, 40 where there was testimony). Of those 585 cases, 357 cases received the service "Pre-Detention Discovery/ Document Review," which represents only 61.3 percent of the cases for which there was a hearing. This contrasts with the product of the structured estimation groups, which recommended that this service be conducted for 100 percent of the cases for both basic and optimal standards.

An analysis of the structured estimation data in this fashion provides the most tangible information for practitioners with respect to its practical application. As is discussed in subsequent sections of this report, several significant modifications to the structured estimation data were made as part of the caseload modeling process. These modifications focused on additional structured estimation time adjustments or weights needed in order to take into account: 1) the likelihood that any given case entering the dependency system will reach each hearing classification; and 2) the proportional case type distribution of attorney caseloads. Additional task specific modifications were made as follows: the inclusion of attorney time associated with writ preparation based upon feedback received during the report comment period; 4) the substitution of workload study in- court (at hearing) time for parallel structured estimation data; and 5) the addition of travel time to the structured estimation data as determined by comments received to the interim report. Each of these modifications is discussed below.

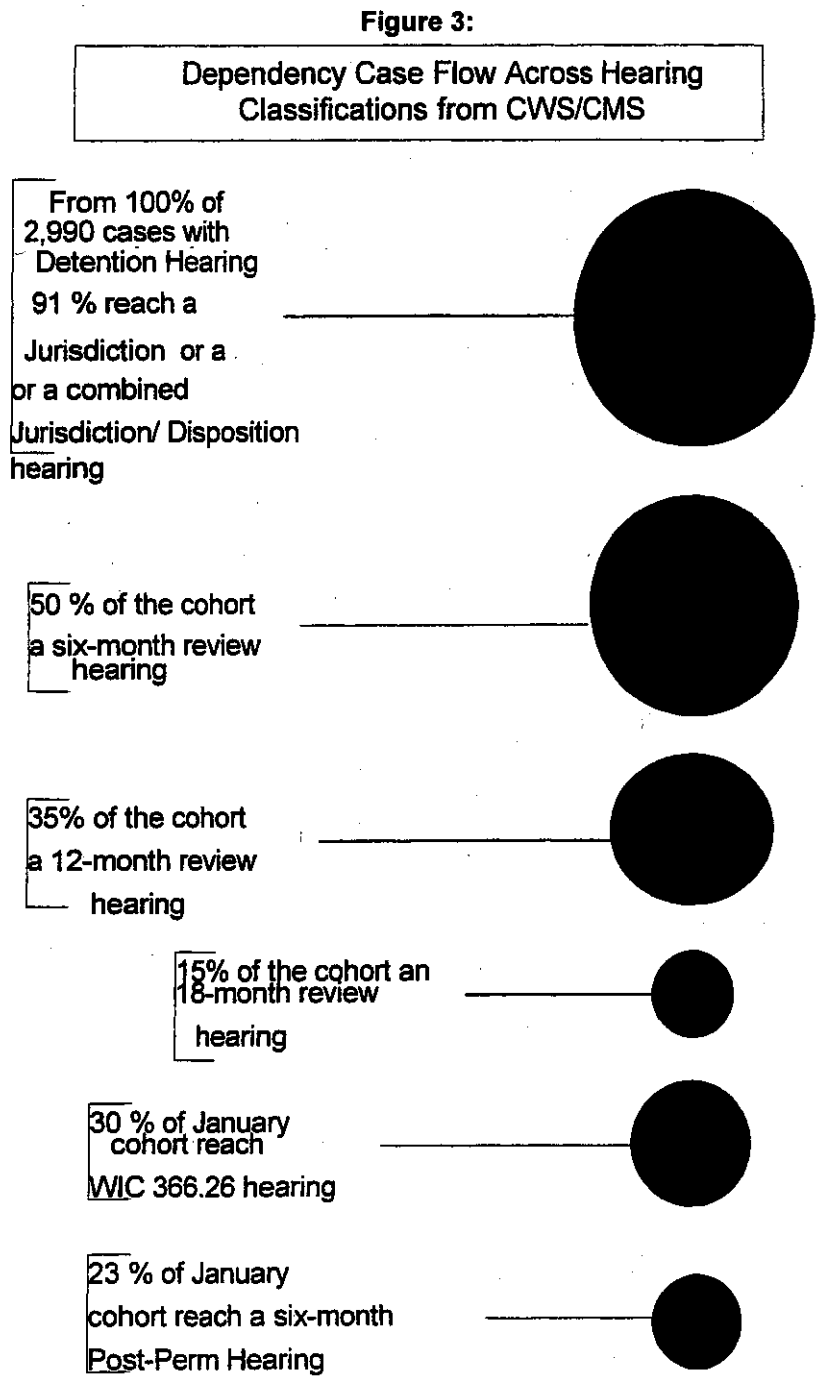
Model Building I: Case-Flow and Standardizing Structured Estimation Results

Structured estimation focus group participants did not definitively determine the percentage of cases that would reach each specific hearing classification. Just as not all dependency cases require all services listed in the Activity and Task List, neither do all cases reach every stage in the process – for instance, many children are returned home after a period of dependency and their cases do not require a hearing to terminate parental rights.

In order to correct for the fact that not all cases reach every statutory stage in the process outlined in the Activity and Task List, data was obtained from a study of California's Child Welfare Services Case Management System (CWS/CMS) conducted by the University of California, Berkeley, Center for Social Services Research, California Children's Services Archive. Fields within CWS/CMS include dates of statutory hearings and the numbers of cases reaching those hearings. All cases with a scheduled detention hearing in January, 2001 – 2,990 cases in all –

were tracked through the system to the present day. By tracking the number of cases from that group that reach each subsequent statutory milestone, a rate of "survival" from one milestone to the next can be measured (see Appendix 9 for the full CWS/CMS output).

Figure 3 shows the relative survival of cases from one statutory milestone to the next, following the case flow from detention through the first post-permanency hearing.



Data from the CWS/CMS case-flow analysis was used to prorate structured estimation results so that all focus group estimates reflected the percentage of cases surviving to that hearing classification. To illustrate this proration with an example:

Structured estimation results indicated that “Document Review” should be completed for 100 percent of cases that reach the “End of Disposition through Permanency” stage; that number was converted to 49.9 percent, the number indicated by the CWS/CMS analysis. All other service unit frequencies were then prorated to reflect that the maximum frequency within “Review Hearing” was 49.9 percent. For example, “Legal Research” was indicated as a task that should be conducted for a quarter of child cases within the “Review Hearing” stage (indicated as 25 percent in the original structured estimation data⁸); the prorated frequency is 12.5 percent – a quarter of the 49.9 percent of cases reaching this stage of the dependency process.

This example is particularly relevant given that for most focus groups, “Document Review” was considered a necessary precursor for all work within a hearing classification. Therefore, “Document Review” was set at 100 percent, meaning that all cases should receive document review. This 100 percent was then modified to match the percentage of cases reaching the hearing classification in question, and other service units were prorated from that new value. In this way, all values were modified to reflect the actual likelihood that a given case would require that service out of the 100 percent of cases for which there was a scheduled detention hearing, while maintaining the proportionality contained within the groups’ work product.

Structured estimation results as modified by CWS/CMS survival data are provided as Structured Estimation Data: Version II, on the following pages.

Model Building II: Composition of Attorney Caseloads

In translating structured estimation data into caseload standards it is important to take into account the relative proportion of each “case type” in an average attorney’s caseload, with case type being defined by stage of dependency proceeding or hearing classification. The case service time requirements for each hearing classification vary significantly; it is critical not to assume that caseloads consist of an equal distribution of cases at each hearing stage.

Table 5 (page 16) detailed workload study submissions by case type. A summary is provided below:

- 7.36 percent of cases worked on during workload study were at Beginning through Detention Hearing;
- 19.93 percent of cases were at Post-Detention through Jurisdiction/Disposition Hearing;
- 39.8 percent of cases were at Review Hearing;

⁸ Average of blind and informed frequencies.

Structured Estimation Data: Version 2

Begin thru Detention Hearing: Basic Standard

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	20	100%	20	20
52%	9	76%	5	9
7%	44	10%	3	2
83%	38	92%	31	39
24%	10	38%	2	7
75%	22	73%	17	16
84%	25	93%	21	18
66%	45	63%	29	18
100%	18	91%	18	18
2%	21	2%	0	0
Total	669	953	210	245
Casetime	669	953	3.50	4.08
Hours	11.2	15.9	3.50	4.08

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	33	100%	33	36
59%	15	81%	9	14
14%	52	15%	7	7
89%	48	94%	42	55
28%	13	39%	4	12
88%	28	83%	24	25
90%	31	100%	28	28
83%	55	79%	46	38
100%	24	93%	24	26
3%	26	3%	1	1
Total	778	1,241	300	424
Casetime	778	1,241	5.00	7.06
Hours	12.97	20.69	5.00	7.06

Begin thru Detention Hearing: Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
100%	33	100%	33	36
59%	15	81%	9	14
14%	52	15%	7	7
89%	48	94%	42	55
28%	13	39%	4	12
88%	28	83%	24	25
90%	31	100%	28	28
83%	55	79%	46	38
100%	24	93%	24	26
3%	26	3%	1	1
Total	778	1,241	300	424
Casetime	778	1,241	5.00	7.06
Hours	12.97	20.69	5.00	7.06

Activity 1
Case Preparation
Notes to file and Draft orders
Legal research
Communicate with client in-person
Communicate with client
Communicate with child welfare worker
Communicate with other counsel
Communicate with others
Other investigation or case management activity

Activity 2
Motions and Other Hearings

Activity 3
Detention Hearing Trial Prep
Phase B. At Initial/Detention Hearing
Conduct hearing (witnesses testify)
Conduct hearing (witnesses do not testify)
Phase C. File Writ
Prepare and file notice of appeal
Prepare/File/Respond/Argue Writ

Structured Estimation Data: Version 2

	End of Detention through Juris/Dispo: Basic				End of Detention through Juris/Dispo: Optimal			
	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
Phase A Before Hearing								
<i>Activity 1 Case Preparation</i>								
Document review and Obtain and review discovery	37	41	33	37	77	75	68	
Notes to file a nd Draft orders	20	11	16	7	23	30	27	
Legal research	28	30	7	9	54	54	19	
Communicate with client in-person	32	46	26	38	61	83	73	
Communicate with client	11	20	2	12	23	37	33	
Communicate with child welfare worker	21	20	19	14	36	41	35	
Communicate with other counsel	14	17	11	15	35	34	30	
Communicate with others	41	30	30	18	63	56	44	
Other investigation or case management activity								
<i>Activity 2 Motions and Other Hearings</i>								
<i>Activity 3 Juris Dispo Trial Prep</i>								
Phase B At Hearing -								
<i>Juris Only</i>								
Conduct hearing (witnesses testify)	135	208	12	19	244	238	23	
Conduct hearing (witnesses do not testify)	9	19	3	5	30	24	7	
<i>Dispo Only</i>								
Conduct hearing (witnesses testify)	192	225	21	26	266	259	32	
Conduct hearing (witnesses do not testify)	12	22	3	5	32	31	7	
<i>Juris/Dispo Combined</i>								
Conduct hearing (witnesses testify)	241	241	20	23	345	300	24	
Conduct hearing (witnesses do not testify)	32	32	11	11	39	40	17	
Phase C File Notice or Appeal of Writ								
Prepare and file notice of appeal	9	14	0	1	14	14	1	
Prepare/File/Respond/Argue Writ	443	750	5	23	1,223	1,238	62	
Total	1516.38	2095.72	320	408	2,998	3,260	777	
Casetime	1516.38	2095.72	320	408	2,998	3,260	777	
Total Casetime	1516.38	2095.72	320	408	2,998	3,260	777	

Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours
25.27	33.93	5.33	6.80	49.86	54.33	10	13

Structured Estimation Data: Version 2

.26 Hearing/39.1B Writ: Basic

.26 Hearing/39.1B Writ: Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
Activity 1 Case Preparation				
Document review and Obtain and review discovery	80	80	24	24
Notes to file and Draft orders	42	30	10	7
Legal research	46	55	7	9
Communicate with client in-person	43	43	11	10
Communicate with client	29	30	6	7
Communicate with child welfare worker	39	15	11	3
Communicate with other counsel	39	27	11	8
Communicate with others	46	43	13	9
Other investigation or case management activity	39	41	10	8
Activity 2 Motions and Other Hearings				
Prepare and file notice of intent to file	87	230	15	47
Activity 3 39.1B Writs				
Request preparation and/or augmentation of record	50	23	2	2
Review Record	35	32	2	3
Preparation and filing of pleadings	140	365	14	50
Oral Argument	260	650	13	83
Draft settlement/order language	110	98	1	1
Activity 4 .26 Hearing Trial Preparation				
Conduct hearing (witnesses testify)	80	45	0	0
Conduct hearing (witnesses do not testify)	20	85	2	7
Conduct hearing (witnesses do not testify)	20	65	0	2
Conduct hearing (witnesses do not testify)	20	10	1	1
Phase B. At .26 Hearing: Adoption Indicated 50%				
Conduct hearing (witnesses testify)	20	-	1	0
Conduct hearing (witnesses do not testify)	20	-	1	0
Phase C. File Notice of Appeal or Writ				
Prepare and file notice of appeal	20	-	0	0
Prepare/File/Respond/Argue Writ	20	-	0	0
Total	1,284	1,966	155	280

Total	Casetime	1,284	1,966	155	280
Total	Casetime	3,761	2,527	363	384
Total	Casetime	3,761	2,527	363	384
Hours	21.40	32.77	2.58	4.67	6.39
Hours	62.68	42.12	6.04	6.39	6.39

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
Activity 1 Case Preparation				
Document review and Obtain and review discovery	139	92	42	28
Notes to file and Draft orders	38	35	9	8
Legal research	108	63	17	11
Communicate with client in-person	88	61	26	16
Communicate with client	33	43	12	12
Communicate with child welfare worker	56	33	7	7
Communicate with other counsel	70	33	17	9
Communicate with others	113	45	21	14
Other investigation or case management activity	169	81	33	20
Activity 2 Motions and Other Hearings				
Prepare and file notice of intent to file	195	71	45	13
Activity 3 39.1B Writs				
Request preparation and/or augmentation of record	45	26	2	3
Review Record	75	41	4	4
Preparation and filing of pleadings	320	450	31	61
Oral Argument	840	830	42	107
Draft settlement/order language	193	118	1	1
Activity 4 .26 Hearing Trial Preparation				
Conduct hearing (witnesses testify)	60	45	0	0
Conduct hearing (witnesses do not testify)	175	100	12	7
Conduct hearing (witnesses do not testify)	28	68	1	0
Conduct hearing (witnesses do not testify)	-	11	0	0
Phase B. At .26 Hearing: Adoption Indicated 50%				
Conduct hearing (witnesses testify)	390	-	12	0
Conduct hearing (witnesses do not testify)	28	-	1	0
Phase C. File Notice of Appeal or Writ				
Prepare and file notice of appeal	8	-	0	0
Prepare/File/Respond/Argue Writ	590	-	4	0
Total	3,761	2,527	363	384

Total	Casetime	3,761	2,527	363	384
Total	Casetime	3,761	2,527	363	384
Total	Casetime	3,761	2,527	363	384
Hours	62.68	42.12	6.04	6.39	6.39

Structured Estimation Data: Version 2

through Post Perm Plan: Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
	23%	23%	4	5
	14%	20%	1	2
	2%	3%	1	1
	21%	6%	11	2
	13%	12%	8	2
	16%	14%	10	2
	8%	20%	2	3
	22%	5%	16	2
	19%	11%	8	5
	24%	5%	26	7
	12%	1%	29	1
	1%	0%	1	0
	18%	15%	3	3
	0%	0%	0	0
	2%	0%	0	0
	0%	1%	0	0
	4%	0%	28	0
Total	1,698	928	145	36

Total Casetime 1,698 928 145 36

Hours 28.30 15.46 2.42 0.60

through Post Perm Plan: Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
	23%	23%	32	9
	21%	21%	13	5
	3%	5%	37	2
	23%	16%	130	7
	16%	13%	85	3
	23%	18%	65	4
	8%	21%	28	4
	22%	11%	90	6
	20%	12%	88	8
	7%	5%	137	9
	1%	1%	280	3
	1%	0%	115	1
	18%	12%	20	4
	0%	0%	160	0
	2%	0%	14	0
	0.3%	1%	10	0
	0.2%	0%	900	2
Total	2,202.33	2,040.00	129	65

Total Casetime 2,202.33 2,040.00 129 65

Hours 36.71 34.00 2.15 1.08

Activity 1 Case Preparation

Document review and Obtain and review discovery
Notes to file and Draft orders
Legal research
Communicate with client in-person
Communicate with client
Communicate with child welfare worker
Communicate with other counsel
Communicate with others
Other investigation or case management activity

Activity 2 Motions and other Hearings

Review Hearing Trial Preparation
Phase B At post perm plan hearing
Conduct hearing (witnesses testify)

Conduct hearing (witnesses do not testify)
Phase B At post perm plan hearing:adoption indicated
Conduct hearing (witnesses testify)

Conduct hearing (witnesses do not testify)
Phase C File notice of appeal or writ
Prepare and file notice of appeal
Prepare/File/Respond/Argue Writ

- 8.45 percent of cases were at the .26 Hearing stage; and
- 24.45 percent of cases were at Post-Permanent Plan Hearing.

The workload study data then suggests a composite statewide attorney caseload where there are few cases at system entry (Beginning through Detention) and a majority of cases at either the Review or Post-Permanent Plan Hearing stages. This proportional distribution of cases is used in caseload modeling; in an effort to simplify the modeling process the hearing classifications were aggregated for caseload development purposes as follows:

- Beginning through Detention + Post-Detention through Jurisdiction/Disposition + 6-Month Review Hearing ► case type = Year One
- 12-Month Review Hearing + 18-Month Review Hearing + .26 Hearing + First Post-Permanent Plan Hearing ► case type = Year Two
- Two Post-Permanent Plan Hearings ► case type = Year Three and Beyond.

The terms “Year One,” “Year Two” and “Year Three” are descriptive of case types – the analysis then becomes determining the proportion of an average attorney’s caseload that is in Year One, Year Two or Year Three (and beyond) as opposed to the proportion of cases at each hearing classification stage. The annual cutoffs were determined by a review of the CWS/CMS survival data which revealed that, at *most*, a case could go through detention, jurisdiction, disposition and one review hearing within 365 days of entry⁹, two review hearings, a .26 hearing and one post-permanent plan hearing within the next 365 day period, and two post-permanent plan hearings at six-month intervals thereafter.

Applying the workload study case type distribution to the Year One/Year Two/ Year Three clusters leads to the following conclusion as to proportional case type distribution for an average attorney’s caseload:

- 47.19 percent of cases are in Year One (7.36+19.93+19.9¹⁰ percent)
- 36.5 percent of cases are in Year Two (13.93+5.97+8.45+8.15¹¹ percent)
- 16.31 percent of cases are in Year Three and beyond (8.15+8.15 percent)

⁹ Other than cases where a WIC §366.26 hearing was ordered at Disposition, which was the case in slightly less than 10 percent of the sample, and only accounting for statutorily required hearings (i.e. not hearings pursuant to motions, etc.).

¹⁰ 39.8 percent of workload study cases at Review Hearing stage. Applied the CWS/CMS ratios to this figure to identify percentages for 6-, 12- and 18-month reviews (per CWS/CMS, 50 percent of cases have a 6-month review, 35 percent a 12-month, and 15 percent an 18-month).

¹¹ The UC Berkeley sample contains data through the first post-permanency hearing only; for the purposes of caseload modeling we assume the same frequency of occurrence for each of three post-permanent plan hearings modeled (and those thereafter). Therefore, 24.45 percent was divided by three to get percent values for each of three post-permanent plan hearings included in the model.

Model Building III: Removal of Structured Estimation Data for Writ Work

Structured estimation data included in the interim report did not include time requirements for writ work; because of the infrequent yet highly resource intensive nature of writ work, AOC staff determined that the impact of this activity on attorney caseloads could not be accurately captured by the caseload model. Comments were solicited as to how best to account for writ work in a caseload model; those comments, in conjunction with Court of Appeals statistics regarding the frequency of writ filings, were used to determine an appropriate factor for accounting for the impact of writ work on attorney time.

The current caseload model reflects an assumption that one writ will be prepared annually by each full-time dependency practitioner, and that those writs will require approximately 12.25 hours of attorney time.

Model Building IV: Substitution of Workload Study for Structured Estimation Hearing Times

A comparison of Structured Estimation Data: Version I, hearing times to those evidenced in workload study data reveals that structured estimation focus group participants identified, on average, significantly longer hearing times for both contested (witnesses testify) and uncontested hearings at both basic and optimal practice standards than currently conducted. Participants in several focus groups engaged in substantive discussions as to the impact of increased case service time outside of court (in case management and investigation activities and tasks) on both the frequency of incidence of contested versus uncontested hearings, and on how long those hearings would take. While the hearing frequency estimates identified by focus group participants remain in the caseload model, hearing time estimates were substituted with workload study data. The amount of time available to attorneys for both contested and uncontested hearings is ultimately dependent upon judicial and court resources; these issues are outside the immediate parameters of the Caseload Study and therefore the caseload model as developed is based upon actual available court time.

Modified structured estimation data, absent time associated with writ preparation and including workload study hearing times, is provided as Structured Estimation Data: Version III, on the following pages.

Structured Estimation Data: Version 3

Begin thru Detention Hearing: Basic Standard

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Total
100%	20	100%	20
52%	9	76%	11
7%	44	10%	23
83%	38	92%	43
24%	10	38%	18
75%	22	73%	22
84%	25	93%	19
66%	45	63%	29
100%	18	91%	19
2%	21	2%	22
29%	69	27%	182
10%	20	11%	20
90%	15	89%	15
1%		1%	
Total	356	442	442
Casetime	5.9	7.4	7.4
Hours	5.9	7.4	7.4

	Child Corrected Time perc*time	Parent Corrected Time perc*time	Total
20	5	20	20
3	3	9	12
31	7	2	38
2	2	39	41
17	16	7	33
21	18	16	39
29	18	18	47
18	18	18	36
0	0	0	0
20	20	48	68
2	2	2	4
13	13	13	26
Total	183	210	210
Casetime	3.04	3.50	3.50
Hours	3.04	3.50	3.50

Begin thru Detention Hearing: Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Total
100%	33	100%	33
59%	15	81%	17
14%	52	15%	51
89%	48	94%	59
28%	13	39%	32
88%	28	83%	30
90%	31	100%	28
83%	55	79%	48
100%	24	93%	28
3%	26	3%	26
35%	83	34%	333
18%	107	20%	122
82%	40	80%	43
1%	225	3%	390
Total	778	1,241	1,241
Casetime	12.97	20.69	20.69
Hours	12.97	20.69	20.69

	Child Corrected Time perc*time	Parent Corrected Time perc*time	Total
33	9	36	36
7	7	14	14
42	4	7	55
4	4	12	12
24	24	25	28
28	28	28	28
46	46	38	38
24	24	26	26
1	1	1	1
29	29	112	112
19	19	24	24
33	33	34	34
Total	300	424	424
Casetime	5.00	7.06	7.06
Hours	5.00	7.06	7.06

- Activity 1**
Case Preparation
Document review and Obtain and review discovery
Notes to file and Draft orders
Legal research
Communicate with client in-person
Communicate with client
Communicate with child welfare worker
Communicate with other counsel
Communicate with others
Other investigation or case management activity
- Activity 2**
Motions and Other Hearings
- Activity 3**
Detention Hearing Trial Prep
Phase B. A1 Initial/Detention Hearing
Conduct hearing (witnesses testify)
Conduct hearing (witnesses do not testify)
- Phase C. File Writ**
Prepare and file notice of appeal
Prepare/File/Respond/Argue Writ

Structured Estimation Data: Version 3

End of Detention through Juris/Dispo; Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
90.49%	37	41
83%	20	11
25%	28	30
82%	32	46
21%	11	20
89%	21	20
85%	14	17
74%	41	30
50%	29	40
53%	80	84
33%	131	247
9%	45	45
27%	13	15
11%	45	45
25%	13	15
8%	45	45
33%	13	15
2%	9	14
1%		
Total	626.63	778.84

Child Corrected Time perc*time	33
Parent Corrected Time perc*time	37
Total	270

Hours	10.44
Hours	12.98
Hours	4.49
Hours	5.35

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
90.49%	77	75
88%	23	30
31%	54	54
89%	61	83
30%	23	37
90%	36	41
87%	35	34
86%	63	56
56%	46	64
62%	114	120
29%	274	521
9%	244	238
35%	30	24
12%	266	259
29%	32	31
9%	345	300
37%	39	40
3%	14	14
3%	1,223	1,238
Total	2,998	3,260

Child Corrected Time perc*time	16
Parent Corrected Time perc*time	7
Total	321

Hours	4.49
Hours	5.35

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
90.49%	77	75
88%	23	30
31%	54	54
89%	61	83
30%	23	37
90%	36	41
87%	35	34
86%	63	56
56%	46	64
62%	114	120
29%	274	521
9%	244	238
35%	30	24
12%	266	259
29%	32	31
9%	345	300
37%	39	40
3%	14	14
3%	1,223	1,238
Total	2,998	3,260

Child Corrected Time perc*time	70
Parent Corrected Time perc*time	27
Total	617

Hours	10
Hours	54.33

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
90.49%	37	41
83%	20	11
25%	28	30
82%	32	46
21%	11	20
89%	21	20
85%	14	17
74%	41	30
50%	29	40
53%	80	84
33%	131	247
9%	45	45
27%	13	15
11%	45	45
25%	13	15
8%	45	45
33%	13	15
2%	9	14
1%		
Total	626.63	778.84

Child Corrected Time perc*time	33
Parent Corrected Time perc*time	37
Total	321

Hours	10.44
Hours	12.98
Hours	4.49
Hours	5.35

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
90.49%	77	75
88%	23	30
31%	54	54
89%	61	83
30%	23	37
90%	36	41
87%	35	34
86%	63	56
56%	46	64
62%	114	120
29%	274	521
9%	244	238
35%	30	24
12%	266	259
29%	32	31
9%	345	300
37%	39	40
3%	14	14
3%	1,223	1,238
Total	2,998	3,260

Child Corrected Time perc*time	70
Parent Corrected Time perc*time	27
Total	617

Hours	10
Hours	54.33

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
90.49%	37	41
83%	20	11
25%	28	30
82%	32	46
21%	11	20
89%	21	20
85%	14	17
74%	41	30
50%	29	40
53%	80	84
33%	131	247
9%	45	45
27%	13	15
11%	45	45
25%	13	15
8%	45	45
33%	13	15
2%	9	14
1%		
Total	626.63	778.84

Child Corrected Time perc*time	16
Parent Corrected Time perc*time	7
Total	321

Hours	4.49
Hours	5.35

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
90.49%	77	75
88%	23	30
31%	54	54
89%	61	83
30%	23	37
90%	36	41
87%	35	34
86%	63	56
56%	46	64
62%	114	120
29%	274	521
9%	244	238
35%	30	24
12%	266	259
29%	32	31
9%	345	300
37%	39	40
3%	14	14
3%	1,223	1,238
Total	2,998	3,260

Child Corrected Time perc*time	70
Parent Corrected Time perc*time	27
Total	617

Hours	10
Hours	54.33

Activity	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
Phase A Before Hearing	37	41
Activity 1	20	11
Case Preparation	28	30
Document review and Obtain and review	32	46
discovery	11	20
Notes to file and Draft orders	21	20
Legal research	14	17
Communicate with client in-person	41	30
Communicate with client	29	40
Communicate with child welfare worker	80	84
Communicate with other counsel	131	247
Communicate with others	45	45
Other investigation or case management activity	13	15
Activity 2	45	45
Motions and Other Hearings	13	15
Activity 3	45	45
Juris/Dispo Trial Prep	13	15
Phase B At Hearing -	45	45
Juris Only	13	15
Conduct hearing (witnesses testify)	45	45
Conduct hearing (witnesses do not testify)	13	15
Dispo Only	45	45
Conduct hearing (witnesses testify)	13	15
Conduct hearing (witnesses do not testify)	45	45
Juris/Dispo Combined	13	15
Conduct hearing (witnesses testify)	45	45
Conduct hearing (witnesses do not testify)	13	15
Phase C File Notice or Appeal of Writ	9	14
Prepare and file notice of appeal		
Prepare/File/Respond/Argue Writ		

Child Corrected Time perc*time	33
Parent Corrected Time perc*time	37
Total	321

Hours	10.44
Hours	12.98
Hours	4.49
Hours	5.35

Structured Estimation Data: Version 3

End of Disposition through Permanency Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
Activity 1 <i>Case Preparation</i>				
Document review and Obtain and review discovery	55	29	27	14
Notes to file and Draft orders	33	17	13	6
Legal research	32	41	4	6
Communicate with client in-person	56	45	24	18
Communicate with client	41	41	12	19
Communicate with child welfare worker	57	46	26	20
Communicate with other counsel	41	42	19	20
Communicate with others	119	57	51	20
Other investigation or case management activity	40	28	13	8
Activity 2 <i>Motions and Other Hearings</i>				
	90	101	28	26
Activity 3 <i>Review Hearing Trial Preparation</i>				
Phase B Statutory Review Hearing	128	139	22	23
Conduct hearing (witnesses testify)	25	35	1	2
Conduct hearing (witnesses do not testify)	10	10	3	3
Termination of Reunification	65	85	4	5
Conduct hearing (witnesses testify)	10	15	0	0
Phase C File notice of appeal or writ	24	18	0	0
Prepare and file notice of appeal	2%	2%	0	0
Prepare/File/Respond/Argue Writ	2%	2%	0	0
Total	825	748	249	190
Casetime	13.74	12.46	4.15	3.17
Hours	40.74	39.44	8.33	5.82

End of Disposition through Permanency: Optimal

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)	Child Corrected Time perc*time	Parent Corrected Time perc*time
Activity 1 <i>Case Preparation</i>				
Document review and Obtain and review discovery	107	49	47	21
Notes to file and Draft orders	72	25	25	8
Legal research	61	63	11	11
Communicate with client in-person	130	84	55	35
Communicate with client	65	67	24	29
Communicate with child welfare worker	93	64	41	28
Communicate with other counsel	81	74	35	32
Communicate with others	238	110	101	46
Other investigation or case management activity	91	57	31	17
Activity 2 <i>Motions and Other Hearings</i>				
	126	124	47	36
Activity 3 <i>Review Hearing Trial Preparation</i>				
Phase B Statutory Review Hearing	243	238	40	38
Conduct hearing (witnesses testify)	101	126	8	9
Conduct hearing (witnesses do not testify)	24	22	6	6
Termination of Reunification	195	239	10	13
Conduct hearing (witnesses testify)	33	29	1	1
Phase C File notice of appeal or writ	24	18	1	1
Prepare and file notice of appeal	2%	2%	1	1
Prepare/File/Respond/Argue Writ	2%	2%	18	17
Total	2,444	2,367	500	349
Casetime	40.74	39.44	8.33	5.82
Hours	137.44	124.64	41.50	31.70

Structured Estimation Data: Version 3

26 Hearing/39.1B Writ: Basic

26 Hearing/39.1B Writ: Optimal

	Child		Parent		Child Corrected Time		Parent Corrected Time		Child Blind and Informed Reconcile (average)		Parent Blind and Informed Reconcile (average)		Child Corrected Time		Parent Corrected Time	
	Blind and Informed Reconcile (average)	perc*time	Blind and Informed Reconcile (average)	perc*time	perc*time	perc*time	Blind and Informed Reconcile (average)	perc*time	Blind and Informed Reconcile (average)	perc*time	Blind and Informed Reconcile (average)	perc*time	Blind and Informed Reconcile (average)	perc*time	Blind and Informed Reconcile (average)	perc*time
Activity 1																
Case Preparation																
Document review and Obtain and review discovery	80	30%	80	30%	24	24	139	30%	92	30%	42	42	28	28	8	8
Notes to file and Draft orders	42	23%	30	23%	10	7	38	23%	35	23%	9	9	11	11	16	16
Legal research	46	15%	55	17%	7	9	108	16%	63	18%	17	17	12	12	9	9
Communicate with client in-person	43	26%	43	22%	11	10	88	29%	61	26%	26	26	7	7	12	12
Communicate with client	29	21%	30	25%	6	7	33	22%	43	28%	7	7	9	9	13	13
Communicate with child welfare worker	39	28%	15	21%	11	3	56	30%	33	26%	17	17	20	20	13	13
Communicate with other counsel	39	28%	27	28%	11	8	70	30%	45	30%	21	21	14	14	20	20
Communicate with others	46	29%	43	22%	13	9	113	29%	81	24%	33	33	13	13	13	13
Other investigation or case management activity	39	27%	41	19%	10	8	169	26%	71	19%	45	45	13	13	13	13
Activity 2																
Motions and Other Hearings	87	17%	230	20%	15	47	195	18%	315	22%	36	36	70	70	70	70
Activity 3																
39.1B Writs																
Prepare and file notice of intent to file	50	5%	23	10%	2	2	45	5%	26	11%	2	2	3	3	4	4
Request preparation and/or augmentation of record	35	5%	32	8%	2	3	75	5%	41	9%	4	4	4	4	4	4
Review Record	140	10%	365	14%	14	50	320	10%	450	14%	31	31	61	61	61	61
Preparation and filing of pleadings	260	5%	650	13%	13	83	840	5%	830	13%	42	42	107	107	107	107
Oral Argument	110	1%	98	1%	1	1	193	1%	118	1%	1	1	1	1	1	1
Draft settlement/order language	80	0%	45	0%	0	0	60	0%	45	0%	0	0	0	0	0	0
Activity 4																
26 Hearing Trial Preparation																
Conduct hearing (witnesses testify)	20	8%	85	8%	2	7	175	7%	100	7%	12	12	7	7	7	7
Conduct hearing (witnesses do not testify)	46	2%	60	2%	1	1	28	5%	68	0%	1	1	0	0	0	0
Conduct hearing (witnesses do not testify)	10	5%	10	5%	1	1	-	0%	11	1%	0	0	0	0	0	0
Phase B. At 26 Hearing: Adoption Indicated 50%	46	4%	-	0%	2	0	390	3%	-	0%	12	12	0	0	0	0
Conduct hearing (witnesses testify)	10	3%	-	0%	0	0	28	5%	-	0%	1	1	0	0	0	0
Conduct hearing (witnesses do not testify)	20	0.2%	-	0%	0	0	8	0%	-	0%	0	0	0	0	0	0
Phase C. File Notice of Appeal or Writ	20	1%	-	0%	0	0	590	1%	-	0%	4	4	0	0	0	0
Prepare and file notice of appeal																
Prepare/File/Respond/Argue Writ																
Total	1,316		1,961		156		3,761		2,527		363		384		363	
Casetime	21.93		32.68		2.59		62.68		42.12		6.04		6.39		6.04	
Hours																

Structured Estimation Data: Version 3

through Post Perm Plan: Basic

	Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
23%	16	23%
14%	8	20%
2%	31	3%
21%	50	6%
13%	58	12%
16%	60	14%
8%	23	20%
22%	70	5%
19%	43	11%
24%	107	5%
12%	230	1%
1%	15	0%
18%	10	15%
0%	15	0%
2%	10	0%
0%	10	1%
4%		0%
Total	754	524

Total
Casetime 754 524

Hours 12.56 8.73

Child Corrected Time	perc*time
4	
1	
1	
11	
8	
10	
2	
16	
8	
26	
29	
0	
2	
0	
0	
0	

Total
Casetime 115

Hours 1.92

Parent Corrected Time	perc*time
5	
2	
1	
2	
2	
2	
2	
3	
2	
5	
7	
1	
0	
1	
0	
0	
0	

Total
Casetime 34

Hours 0.57

through Post Perm Plan: Optimal

Child Blind and Informed Reconcile (average)	Parent Blind and Informed Reconcile (average)
23%	32
21%	13
3%	37
23%	130
16%	85
23%	65
8%	28
22%	90
20%	88
7%	137
1%	280
1%	115
18%	20
0%	160
2%	14
0.3%	10
0.2%	900
Total	2202.33

Total
Casetime 2202.33

Hours 36.71

Child Corrected Time	perc*time
7	
3	
1	
30	
14	
15	
2	
20	
18	
9	
3	
1	
4	
0	
3	
0	
0	
0	
2	

Total
Casetime 129

Hours 2.15

Parent Corrected Time	perc*time
9	
5	
2	
7	
3	
4	
4	
6	
8	
9	
1	
0	
3	
0	
0	
0	
3	

Total
Casetime 65

Hours 1.08

Activity 1
Case Preparation

Document review and Obtain and review discovery
Notes to file a rd Draft orders
Legal research
Communicate with client in-person
Communicate with client
Communicate with child welfare worker
Communicate with other counsel
Communicate with others
Other investigation or case management activity

Activity 2
Motions and other Hearings

Review Hearing Trial Preparation

Activity 3
Phase B At post perm plan hearing

Conduct hearing (witnesses testify)
Conduct hearing (witnesses do not testify)
Phase B At post perm plan hearing:adoption indicated
Conduct hearing (witnesses testify)
Conduct hearing (witnesses do not testify)
Phase C File notice of appeal or writ
Prepare and file notice of appeal
Prepare/File/Respond/Argue Writ

Model Building V: Addition of Travel Time, Child's Counsel Only

For attorneys representing child clients, traveling to visit the child in his/her placement setting is recommended prior to every hearing, in general, as part of both the basic and optimal standards. Since the amount of time required for travel to a placement setting is not under attorney control, structured estimation groups were not asked to estimate travel times. Instead, an average client-related travel time of 0.8 hours (48 minutes per case of pre-hearing travel) was calculated from workload study results, and was included in the per-case totals for both the basic and optimal conditions as distributed in the interim report. Travel was included only for child cases due to the importance of attorney-client visits in placement settings and the assumption that most parent clients have independent means to travel to see their attorneys.

Comments were solicited and received with respect to how reflective the estimate of 48 minutes per-case of travel time was of the expectation of client visits prior to every hearing. As a result of those comments, the travel time factor was modified upwards significantly, to 3.2 hours per child case annually.

Caseload Model

The structured estimation data was used to develop a caseload model as follows:

1. Structured estimation times weighted by frequency of activity or task occurrence;
2. Results of (1.) weighted by CWS/CMS data outlining the likelihood that any dependency case will reach each particular hearing classification stage;
3. Results of (2.) weighted by workload study and CWS/CMS data reflecting the proportional distribution of attorney caseloads by case type; and
4. Annual attorney time requirements by case type derived.

The final key component of the caseload model is the annual number of attorney hours available for actual casework. As indicated by the workload study data, 83 percent of all attorney time was spent on court-appointed dependency casework over the two-week workload study period; utilizing the judicial branch annual work available hours figure of 1778, a case service time of 1476 hours per year was identified. This figure is then adjusted downward to account for time needed for writ preparation. By dividing available case time of by the weighted number of requisite attorney hours per case type as outline above, values for a basic and optimal caseload were attained.

Table 13 outlines parent and child client caseloads at a basic standard of practice, Table 14 at an optimal practice standard. Subsequent model analysis and implementation efforts will focus initially on the basic practice standard which reflects that, with travel time taken into account, a full-time attorney can carry a maximum of 117 child-client or 164 parent-client cases. Because of both the similarity of the caseload figures for parent and child cases and the practical implications of administering differing caseload standards for each, a maximum per attorney caseload of 141 cases is recommended irrespective of client type.

Table 13: Caseload Model: Basic Standard

	CWS/CMS Frequencies Not Already Accounted for in Structured Estimation Data	Hearing Classification Attorney Time Requirements: Child Client	Hearing Classification Attorney Time Requirements: Parent Client	Proportion of Caseload in Year One, Year Two, Year Three	Weighted Annual Hour Requirement by Case Type: Child Client	Weighted Annual Hour Requirement by Case Type: Parent Client
Year One						
Detention		3.04	3.50			
Disposition		4.49	5.35			
Permanency (6 month review)		4.15	3.17			
Year One Hours/Case		11.69	12.02	47.19%	5.52	5.67
Year Two						
12 month review	35.60%	2.96	2.26			
18 month review	15.00%	1.25	0.96			
26 Hearing		2.59	4.67			
First PPH		1.92	0.57			
Year Two Hours/Case		6.72	8.44	36.50%	3.18	3.08
Year Three						
Second PPH		1.92	0.57			
Third PPH		1.92	0.57			
Year Three Hours/Case		3.84	1.14	16.31%	0.63	0.19
Total Annual Work Hours		1778	1778			
Annual Dependency Casework Hours/ Annual Hours Per Composite Case		1476	1476		9.32	8.94
Available Work Hours Per Year/Per Case Composite (Year One+Year Two+Year Three)		158.25	158.13			
One 39.1B Writ Per Year		11.26	13.22			
Revised Annual Dependency Casework Hours/Reflecting One 39.1B Writ/Year		1464.79	1462.78			
Available Work Hours Per Year minus Writ/Per Case Composite (Year One+Year Two+Year Three)		157.08	164.00			
Travel Hours per Case		3.26				
Child Cases with Travel Hours per Year(Travel)		117				
Hours per Year(Travel)		374				
Hours per Year/Other Case Service Time		1051				
RECOMMENDED CASELOAD						

Table 14: Caseload Model: Optimal Standard

	CWS/CMS Frequencies Not Already Accounted for in Structured Estimation Data	Hearing Classification Attorney Time Requirements: Child Client	Hearing Classification Attorney Time Requirements: Parent Client	Proportion of Caseload in Year One, Year Two, Year Three	Weighted Annual Hour Requirement by Case Type : Child Client	Weighted Annual Hour Requirement by Case Type: Parent Client
Year One						
Detention		5.00	7.06			
Disposition		10.28	12.95			
Permanency (6 month review)		8.33	5.82			
Year One Hours/Case		23.62	25.83	47.19%	11.15	12.19
Year Two						
12 month review	35.60%	6.14	4.14			
18 month review	15.00%	2.59	1.74			
.26 Hearing		6.04	6.39			
First PPH		2.15	1.08			
Year Two Hours/Case		16.93	13.35	36.50%	6.18	4.87
Year Three						
Second PPH		2.15	1.08			
Third PPH		2.15	1.08			
Year Three Hours/Case		4.31	2.16	16.31%	0.70	0.35
Total Annual Work Hours		1778	1778			
Annual Dependency Casework Hours/ Annual Hours Per Composite Case		1476	1476		18	17
Available Work Hours Per Year/Per Case Composite (Year One+Year Two+Year Three)		82	85			
One 39.1 B Writ Per Year		11.25	13.22			
Revised Annual Dependency Casework Hours/Reflecting One 39.1B Writ per Year		1465	1463			
Available Work Hours Per Year minus Writ/Per Case Composite (Year One+Year Two+Year Three)		81.25	84.01			
Travel/Hours per Case		3.20				
Child Cases with Travel		69				
Hours per Year/Travel		221				
Hours per Year/Other Case Service Time		1255				
RECOMMENDED CASELOAD		77				

It is important to emphasize the underlying meaning of the caseload figure – the figure reflects the maximum number of cases that a full-time attorney may carry based upon assumptions regarding the type, frequency and duration of tasks to be performed in the course of representation. As discussed above, these assumptions are most clearly reflected in the structured estimation data in its most raw form (Structured Estimation Data: Version I).

An additional clarification relates to the definition of a case – for purposes of caseload study results, one client is equivalent to one case; each sibling of a sibling group would thus be counted as an individual case.¹²

SERVICE DELIVERY MODEL ANALYSIS

The Spangenberg Group (TSG), a nationally recognized research and consulting firm specializing in identifying the most cost-effective mechanisms for providing legal services to indigent clients, was selected by the AOC to provide an analysis of existing court-appointed counsel service delivery models and costs, and to identify alternative possible approaches to court-appointed counsel administration particularly as applied in other states. Created in July 1985 and located in West Newton, Massachusetts, TSG has conducted research and provided technical assistance to justice organizations in every state in the nation.

In developing this analysis for California, TSG reviewed trial court expenditure data as reported to the AOC as part of the Quarterly Financial Statement process, attorney caseload data as provided to the AOC as part of a court-appointed counsel survey conducted in March 2003 separate and apart from the Caseload Study, and Department of Social Services data outlining the number of children under child welfare department jurisdiction.

Overview of Current Dependency Counsel Service Delivery Models and Costs

Each court system has an individual and largely unique approach to procuring dependency counsel services. A majority of court systems use a combination of counsel providers, including district attorneys, public defenders, private law firms, non-profit agencies, and solo practitioners as follows:

- District attorneys are used in four of 58 court systems;
- Public defenders and alternate public defender offices are used in 24 court systems;
- Private law firms are used in 16 court systems;
- Non-profit agencies are contracted with by three court systems; and
- Solo practitioners are used in 49 court systems.

¹² Comments were solicited regarding the determination that one child was equivalent to one case (and thus that sibling groups would be treated as individual cases). Feedback supported the notion that, while sibling groups generally require less attorney time than an equal number of un-related cases, the numerous confounding variables impacting the workload associated with sibling representation suggest a one-to-one correlation at this time.

A summary of trial court dependency counsel service providers and compensation structures, along with all explanatory notes is presented on the following pages as Table 15. The data contained in this table was compiled from a review of fiscal year 2002–2003 dependency counsel contracts and rate structures. Although some of the contracts that this data is based upon have expired, been renegotiated or renewed with new terms, the information in the table is the most comprehensive available and reflects the diverse array of court-appointed counsel service delivery models and compensation structures currently in place, in the state.

Service Provider Compensation

Hourly Rates. Attorneys are compensated on an hourly basis in 35 court systems. The range in hourly rates paid to dependency counsel providers is from \$32.10 to \$138 per hour.

Contracts. Forty-four court systems have contracts with various provider types for dependency counsel service provision. Many contracts are negotiated to cover multiple years and contain annual rate increases irrespective of workload growth.

Case or Specific Event Payments. Eight court systems compensate at least a portion of their dependency counsel service providers on a per event or per case basis. Per case rates range from \$241 for case duration to \$960 per case per year; per event rates range from \$50 to \$460. Per case rates generally provide for additional compensation for extended hearings or trial work beyond routine dependency court actions.

Annual Compensation as Cost per Child under Juvenile Court Jurisdiction. Current annual attorney costs, when standardized across the number of children under juvenile court jurisdiction and irrespective of compensation structure or type, range from \$69 to \$2,758 per child.

Additional Compensation Factors

Attorney Experience. Variations in attorney experience are formally recognized in the contractual compensation of two court systems. In these contracts, rates increase commensurate with experience.

Administrative and Support Staff Costs. Support staff costs are difficult to assess; 45 court systems identified support staff costs as being included in their respective attorney compensation structures. Similarly, administrative or overhead costs are reported as included in a majority of existing contracts. The exact amount of administrative and overhead costs currently funded as part of dependency counsel expenditures statewide are unknown, as few courts require that information as part of the contracting process.

Investigative and Expert Costs. Many court systems maintain separate funds outside of contractual and hourly compensation structures in order to compensate attorneys for investigative, expert witness, and other similar costs. There is no consistency between either intra-court providers and inter-court system as to how investigative costs are addressed or related funds administered.

Table 15: Dependency Counsel Service Delivery Models

		PROVIDERS - (No. Attorneys)				COMPENSATION & (Amount)			Admin., Support, & Other Costs	
		Non Profit	Pvt Firms	Solo Practitioner	Hrly	Yrly	By Contract - Type & (Cost)	Atty Notes	Included	Additive
Court System	DA	PDO					Cost			
Alameda	✓	✓		Bar Assn.		✓	(\$1.7 million)		✓	
Alpine	✓			Pvt. Atty. Panel	\$90		(\$2.1 million)		✓	✓
Amador	✓					✓	(\$7260)		✓	
				(1)		✓	(\$90,000)		✓	
Butte				(3) Conflict	\$65	✓	(\$123,400 each)			✓
Calaveras	✓			(1)		✓	(\$11,950)		✓	
				Conflict	\$65	✓	(\$43,200)		✓	
Colusa	✓				\$90				✓	
Contra Costa	✓ + Alt.					✓	(\$2.1 million)	AN		✓
				Bar Assn.		✓	(Not to exceed \$1.65 million)		✓	
Del Norte				(9)		✓	\$65 - \$75		✓	
El Dorado				(17)		✓	\$70	AN	✓	✓
Fresno	✓		✓			✓	(\$1,375,000)		✓	
						✓	(\$739,600)		✓	
						✓	(\$466,000)		✓	
Glenn				(4)		✓	(\$73,372 each)			
				(2)		✓				
Humboldt	✓			Pvt. Atty Panel	\$85	✓	(\$300,000)		✓	
Imperial				Conflict	\$65	✓			✓	
				(1)		✓	(\$48,000)		✓	
Inyo				(3)		MOU (at no cost)		AN	✓	
				(1)		✓	(118,300)		✓	
				(1)		✓	(\$383,300)		✓	
Kern	✓			Indigent Def.	\$84	✓	(\$555,725)		✓	
						✓				
Kings	✓			(2)	\$32 - \$62	✓	(\$59,500 each)		✓	✓

Table 15: Dependency Counsel Service Delivery Models

Providers, Compensation, & Included Costs											
Court System	DA	PROVIDERS - (No. Attorneys)			Hrly	COMPENSATION & (Amount)			Atty Notes	Admin., Support, & Other Costs	
		Non Profit	Pvt Firms	Solo Practitioner		Yrly	Cost	By Contract - Type & (Cost)			
Placer				(1)		√	(\$120,000)				√
				(1)		√	(\$117,000)				√
				(1)		√	(\$101,400)				√
				(1)		√	(\$42,000)				√
				(5)	\$40 - \$55	√					√
Plumas				(3)	Conflict	√	(\$21,000 each)			AN	√
					Juv. Def.	√	(\$2.0 million)			AN	√
Riverside					Juv. Dep. Svc	√	(\$760,000)				√
						√	(\$1.8 million)				√
Sacramento				(2)	Dep. Attys.	√	(\$1.7 million)		Per Case \$241		√
				(2)							√
San Benito				(2)							√
San Bernardino				(3)					Per Case \$500	AN	√
					Ad Hoc				Per Case \$335 to \$360	AN	√
									Per Emt \$40-\$250		√
San Diego						√	(\$4.98 million)				√
						√ (Alt)	(\$4.24 million)				√
San Francisco					Bar Assn.						√
San Joaquin						MOU				AN	√
					Lawyr. Ref. Svc.	√					√
San Luis Obispo				(1)		√	(\$463,500)				√
					Bar Assn.						√
San Mateo					Bar Assn.				Per Case \$609		√
Santa Barbara						√	(approx. \$81,300)				√
					N. Cnty. Def. Tim.	√	(approx. \$214,800)				√
					Criml. Def. Assoc.	√	(\$104,900)				√
						√	(\$227,400)				√
Santa Clara						√	(\$2.4 million)				√
						√	(\$2.4 million)				√
Santa Cruz						√	(\$386,000)				√
						√	(\$255,000)				√
Shasta						√	(\$91,200)				√
					(1)						√

Review of Alternative Service Delivery Models

An alternative to the existing state-funded, locally administered appointed counsel model currently in place in California would be a regionally or centrally administered appointed counsel program. Such models as applied in three states are discussed below.

One of the most noticeable trends in indigent criminal defense delivery in the past decade is the increased use of statewide commissions. Thirty-two states now have some sort of statewide body or commission responsible for developing policy and providing oversight for indigent defense services.¹³ In most states, indigent defense commissions were created to provide independent oversight and accountability for indigent defense services, to develop uniform standards and guidelines for program operation, and to advocate for adequate resources in order to deliver indigent defense services. In many of these states, the commission is the policy body and a staff actually carries out the policies by providing day-to-day administration of services. Various tasks include contracting with and monitoring providers, providing technical assistance and training, administering grant funds, establishing counsel fees, and processing payments.¹⁴

Dependency counsel representation systems do not typically fall within the purview of these indigent defense commissions and thus lack centralized administration. Despite the critical importance of these services, the dependency counsel area remains overlooked in numerous U.S. court systems. In many states, there is little or no attempt to improve the quality of dependency counsel services or to make service delivery more uniform throughout the state. Massachusetts is an exception to this general rule. The central program that oversees indigent criminal defense services and other civil legal services where indigents have a right to counsel, including dependency cases, requires initial and ongoing training, enforces minimum performance standards, provides mentors to new attorneys, and pays uniform compensation rates. While not without its problems (chiefly, a low hourly rate of compensation that is currently being challenged) the Massachusetts system has a reputation of providing high quality legal services.

Another interesting program is Colorado Office of the Child's Representative (OCR), which oversees attorneys who serve as GALs, Special Advocates or Attorney Representatives for children in Colorado's courts. The program was created by the Colorado state legislature in 2000. A nine-member board, or commission, appointed by the state Supreme Court selects the director of the office and provides fiscal oversight for the program's budget. Since the OCR has

¹³ In a few states, the indigent defense commission is only responsible for appellate cases. In some states with statewide public defender programs, the commission is only responsible for public defender offices, while another program or no program oversees assigned counsel programs. See *Statewide Indigent Defense Systems: 2004*, prepared by The Spangenberg Group for the American Bar Association Bar Information Program, on the ABA's website for the Standing Committee on Legal Aid and Indigent Defendants <http://www.abanet.org/legalservices/sclaid/defender.html>.

¹⁴ An article, prepared by the Indigent Defense Counsel of the National Association of Criminal Defense Lawyers, discusses the advantages of the commission model. The article is available on line at: <http://www.nacdl.org/public.nsf/ChampionArticles/2001jun01?opendocument>

taken over the responsibility of selecting and contracting with attorneys from the courts, judges have noted that the quality of representation provided has improved. This is attributed to the OCR's shift to an hourly rather than a per-case fee schedule, better training, better monitoring, and increased attorney qualification requirements for case appointment. Colorado has no counterpart program for parents' counsel.

In July 2003, the Oregon Office of Public Defense Services Commission (OPDSC) assumed responsibility for the administration of the statewide indigent defense program, including all related administrative tasks formerly handled by the courts and the State Court Administrator's Office, except for appointing counsel; judges continue to appoint counsel, subject to OPDSC rules. OPDSC administers county-based contracts for all indigent defense representation¹⁵. Different delivery models are used by the counties, including public defender, private bar contract, court-appointed counsel and lawyer consortia. For dependency cases, the consortium model is used by a large number of counties in order to avoid conflicts and to provide counsel for multiple parties in a single case. The OPDSC maintains a quality assurance task force responsible for helping contractors to improve their business and administrative structures and the quality of overall representation.

Aside from the experiences of other states, California can look to the system it has already developed to provide indigent representation for parties on appeal as a possible alternative approach to the current trial-level appointed dependency representation structure. Each California appellate court district has a corresponding appellate project. The appellate projects are nonprofit organizations that recommend to the court an appropriately qualified attorney for each case in which an indigent client is entitled to appointed counsel. The appellate projects provide substantive legal assistance to these attorneys, evaluate their work, and process their claims for compensation. The projects also provide direct representation in certain cases. While this model could not be wholly replicated at the trial-level because of significant differences between trial and appellate work in both the number of courts served and case volume, the appellate project structure is worth exploring as a possible framework for future change.

California's Opportunity

With the transfer from local to state funding of dependency counsel services, the California Judicial Council has an opportunity to make a significant impact on the quality and accountability of dependency representation for children and parents in California. As in Massachusetts, Colorado, and Oregon, California now has the ability to administer dependency counsel services from a central point. This carries with it significant advantages, including:

- The ability to identify, work with and direct resources to court systems where programs need to be strengthened;

¹⁵ Oregon's statewide indigent defense program is responsible for numerous types of cases, including termination of parental rights, dependency, civil commitment, Psychiatric Security Review Board, child support contempt, felonies, misdemeanors, juvenile delinquency, appeals, and habeas corpus.

- The ability to share resources, such as training, that many courts would not otherwise be able to afford;
- The ability to monitor and enhance attorney performance;
- The ability to make the quality of dependency counsel more uniform throughout the state, based on standardized performance and caseload expectations; and
- The ability to track statewide issues and trends that impact dependency counsel practice at both trial and appellate levels.

Finally, a centralized administrative model removes from the local courts the exclusive, day-to-day responsibility for overseeing dependency counsel. Not only can this administration be burdensome, it can also create the possibility or appearance of insufficient independence between the judiciary and dependency counsel providers.

For purposes of policy-making, a chief advantage of a centralized administrative model is that it introduces a centralized voice that responds to the state legislature and advocates for dependency counsel services statewide. Another chief feature is the ability to hire a staff of individuals dedicated to making improvements to dependency counsel statewide, a luxury most courts cannot duplicate on a local level.

The state's assumption of responsibility for dependency counsel costs provides an increased ability for the Judicial Council to fulfill its legislative mandate regarding the promotion of attorney caseload standards, training requirements and guidelines for appointed counsel in dependency cases. Although not impossible, it is difficult to implement such standards and requirements with a purely locally-administered system, particularly when that implementation would effectively result in new local mandates with no guarantee of additional resources. A shift in California to centralized oversight of dependency counsel services would be both consistent with national trends to increase accountability of state-funded legal services programs and with the Judicial Council's desires to improve the quality of dependency counsel services statewide.

In addition to facilitating the promulgation of performance standards and uniform rate structures, a centralized administrative model in California could result in reduced program costs as a result of economies of scale realized from the condensation of administrative responsibilities from multiple to a single entity. This assumption is difficult to test; review of existing contracts and costs supports the notion that there are sizeable administrative and overhead costs embedded in provider compensation levels but little to no detail is available to test that theory quantitatively. While savings may be generated from centralized administration of appointed counsel services, a significant program funding need will continue to arise as related to the implementation of recommended attorney caseloads. In essence, the recommended caseload level is one-half of the current average; the Judicial Council should realize increased efficacy in garnering additional program resources upon implementation of standardized attorney caseloads and compensation.

Recommendations/Next Steps

1. Caseload standards should be implemented on a pilot basis in a limited number of courts. Evaluation of the implementation should be conducted in order to address:
 - Overall practitioner assessment of caseload standard and the assumptions regarding attorney practice embedded therein;
 - The impact of various types of non-attorney case staffing (social workers/investigators and paralegals) on attorney case-carrying capacity; and
 - Whether additional modifications should be made to the caseload standards to more accurately reflect workload associated with sibling group representation.
2. Centralized dependency counsel administration should be implemented on a pilot basis in a limited number of courts. If possible, a regional representation model should be explored as well. These models should be premised upon the following components:
 - Caseload standard implementation;
 - Uniform compensation structures; and
 - Minimal administrative costs.
3. A detailed fiscal analysis of the pilot effort should be conducted both with respect to caseload standard implementation and the cost efficacy of various provider types utilized by participating courts. This type of provider-type comparison is not currently feasible given the dearth of detail available in existing contractual agreements.

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MEMORANDUM

Date

November 21, 2003

Action Requested

Review Enclosed Materials

To

Presiding Judges of the Superior Courts
Presiding Judges of the Juvenile Courts
Executive Officers of the Superior Courts
Court-Appointed Dependency Counsel

Deadline

Comments due December 22, 2003

From

Diane Nunn, Director
Leah Wilson, Supervising Analyst
Center for Families, Children and the Courts

Contact

Leah Wilson
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Subject

Dependency Counsel Caseload Study:
Interim Report

Enclosed is an interim Dependency Counsel Caseload Study (Caseload Study) report. The information contained therein is the result of a tremendous effort on the part of practitioners and local courts; the extensive attorney participation required by the Caseload Study design could not have been possible without both practitioners' generous gratis involvement and local court support. We want to take this opportunity to extend our appreciation to the dependency counsel, juvenile court judicial officers and court administrators involved in ensuring project success.

In lieu of a formal executive summary a brief outline of the report is provided below:

The Caseload Study consisted of four primary components:

1. Defining dependency counsel work in terms of discrete actions attorneys take in providing services to clients. The result of the first study component is entitled the *Activity and Task List* and is provided as Appendix 1 of the interim report.

November 21, 2003

Page 2

2. A Workload Study to measure the time it currently takes to provide these services; 591 attorneys and 131 support staff participated in the two-week workload study. Detailed workload study data is provided as Appendix 4 of the interim report.
3. Conducting structured estimation focus groups to determine the amount of time attorneys should spend providing case services, based on two standards of performance; Structured Estimation Data can be found in the report on pages 29-33, 38-42 and 45-49.
4. The development of models to identify caseload standards based on structured estimation results. The caseload models can be found on pages 52 and 53.

Pursuant to the results of each study component, a recommended maximum caseload figure of *155 cases* per full-time dependency attorney is identified as a base-level standard of performance. This caseload figure presumes both frequencies of attorney activities at specified stages of any given dependency proceeding and associated amounts of time required to complete those activities. It is important to note that, as discussed in the report, modifications to the caseload model are required to take into account such factors as writ work, travel time, sibling group affiliation and support staff impact; these modifications may result in adjustments to the figure and are the focus of the Request for Comment materials included in this mailing.

It is critical to emphasize that the identification of a caseload standard does not mean that the standard can be implemented immediately; court systems have not been allocated any additional dependency counsel funding for caseload standard implementation. So, while from a programmatic sense timely adoption of the standards for contractual and staffing decisions may be beneficial, from a court fiscal perspective it is clear that implementation cannot happen absent additional state and local resources to do so.

The AOC has recently undertaken a comprehensive assessment of existing dependency counsel service delivery models and related costs. The aim of this assessment is to identify possible changes to the way in which such services are procured and funded necessary to ensure that caseload standards can be adopted. It is anticipated that a final Caseload Study report, which will place an emphasis on implementation and practice standards, will go forward to the Judicial Council early next year along with dependency counsel service delivery model recommendations.

Please review the enclosed Request for Comment materials and submit all comments to Ms. Leah Wilson no later than December 22, 2003. The nature and scope of comments received will inform the extent of the caseload model revision process and the final Caseload Study report.

Feel free to contact Ms. Wilson at 415-865-7977 with any questions you may have, and thank you again for your ongoing support and participation in this project.

cc: Members of the Judicial Council
Family & Juvenile Law Advisory Committee Members



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MEMORANDUM

Date June 14, 2004	Action Requested Review and Respond
To Parties Interested in Submitting Comments: Dependency Counsel Caseload Study Interim Report	Deadline December 22, 2003
From Leah Wilson Supervising Analyst Center for Families, Children and the Courts	Contact Leah Wilson 415-865-7977 phone 415-865-7217 fax leah.wilson@jud.ca.gov
Subject Request for Comment Materials	

Your feedback on any aspect of the report is welcome – of particular interest are comments addressing the following issues:

1. Writ Work: Caseload Model Adjustments to Take into Account

Because writ work is infrequent yet extremely resource intensive, it must be accounted for in a way that recognizes its workload impact without overstating related attorney time required when considering an entire caseload. The following may be useful for comment development:

- In fiscal year 2002–2003 there were 625 39.1b writs filed.¹ This represents .52 percent of all open dependency cases statewide² and 6.2 percent of the

¹ Source: Filings and Dispositions – Fiscal Year 2002-2003, California Courts of Appeal

² 118,724. See Interim Report page 15.

cases at the Hearing Classification stage where a 39.1b writ would actually be filed.³

Although volume data is available only for 39.1b writs, anecdotal information suggests that such writs comprise the vast majority of dependency writs filed.

2. *Travel Time: Is the Caseload Model Allocation Sufficient?*

The .8 hours/case figure used in the caseload model (child clients only) is solely reflective of current practice and therefore may not be sufficient with respect to the in-person client communication expectations embedded in the caseload model. Absent use of the workload study data, what is the most appropriate method of accurately estimating requisite travel time?

3. *Support Staff: How to Account for in Caseload Model*

A significant aspect of workload study analysis addressed the question of how attorneys with support staff versus those without utilized available work time. Support staff workload study data and related project team analysis are provided as Attachment A to assist comment development in this area; as is reflected in those materials, workload study data is inconclusive as to support staff impact on attorney time.

Comments on this topic should address:

- o The question – Should attorneys with specified types⁴ of support staff available to them be allowed to carry higher caseloads?
- o If so, how should the caseload model be adjusted to reflect the contribution of support staff?

4. *Sibling Groups: Impact of Sibling Groups on Maximum Caseload Figure*

The caseload model identifies a maximum per attorney caseload of 155 cases without addressing the issue of attorney representation of multiple siblings. Workload study data comparing attorney time for cases comprised of one versus multiple child clients is provided as Attachment B; in summary, the data does not suggest that there is any significant incremental time increase associated with sibling representation. The impact of this finding is that the recommended caseload maximum would mean just that – a *case* rather than a client limitation. As a point of reference, AOC per attorney current caseload data suggests a child client to child case ratio of 1.7 (meaning that there are an average of approximately 1.7 children per minor dependency case in those court systems where a single case number is utilized for multiple siblings).

³ Assuming 8.45 percent of cases at 39.1B writ through the Termination of Reunification Services per workload study findings.

⁴ Social workers/investigators, paralegals, "other" support – employees versus ad hoc support.

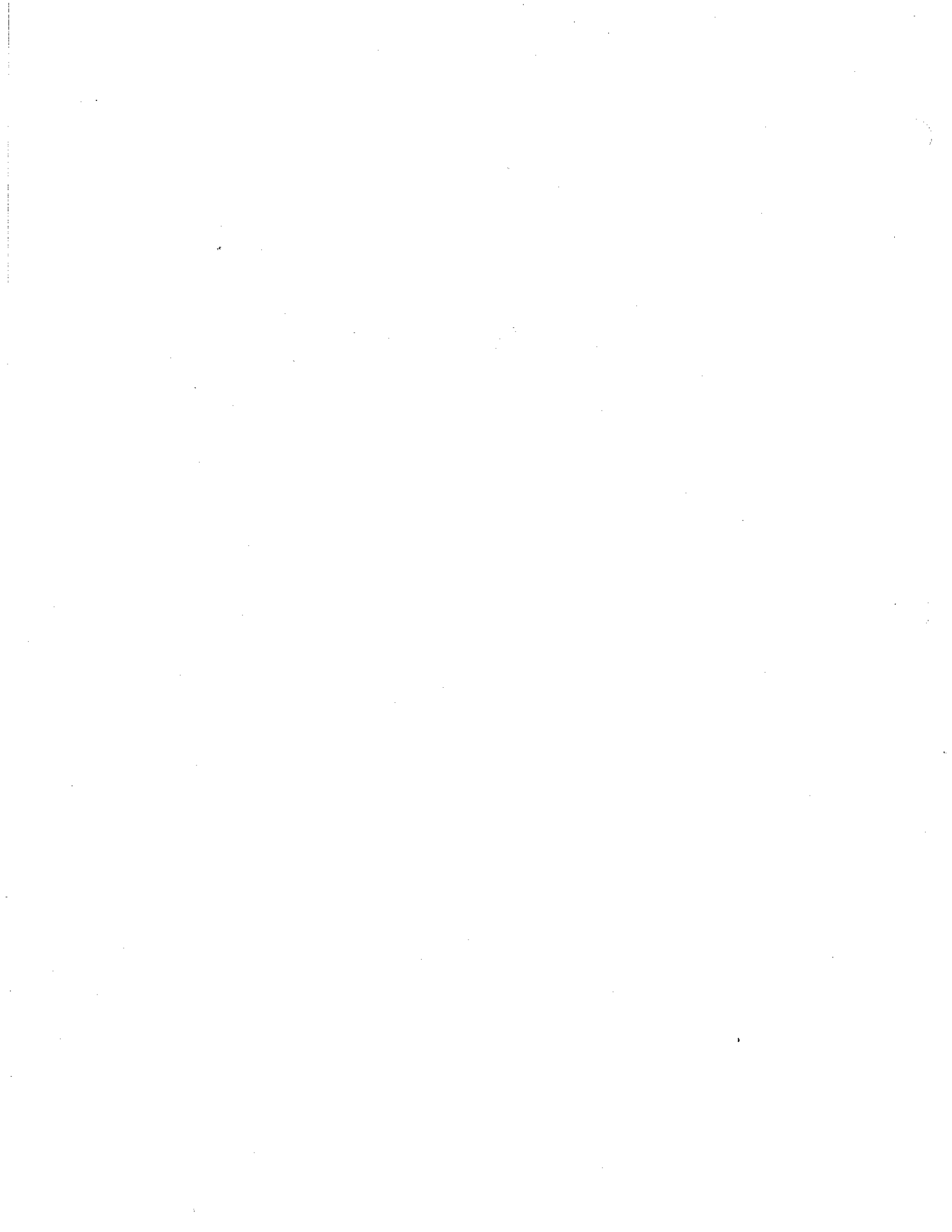


Similar to the issues raised in the travel time section, utilization of workload study results to inform this area may result in an inaccurate caseload model given the fact that those results reflect current, as opposed to desired practice.

5. *Annual Work Hours per Year*

The caseload model is based upon annual available work hours totaling 1778 and a case to administrative time ratio of 83/17 percent. The 1778 figure is based on the AOC employee work-year which assumes certain mandatory time off and may not be representative of full-time local government or private practice attorneys; the derivation of the ratio of case to administrative time is discussed in detail in the report. A review of the caseload model makes clear the import of both figures for the identification of a maximum full-time attorney caseload; comments are being solicited with respect to how well both the annual available work hour and ratio figures reflect current practice.

Please submit your comments on these, or any other report-related issues, to Ms. Leah Wilson via email or facsimile by December 22, 2003.



The Contribution of Support Staff to Total Case Service Time

Support staff, defined for the purposes of the Caseload Study as social workers/investigators, paralegals, and "other" types of specified support relevant to attorney services, are not uniformly available for court-appointed dependency counsel. A significant aspect of workload study analysis addressed the question of how attorneys with support versus attorneys without support utilized available work time.

One-hundred and thirty-one support staff submitted workload study data. The breakdown by type of support and county is found in Table 1.

Table 1: Support Staff Participation by Type and County

COUNTY	SocWkr/ Invest. Count	COUNTY	Paralegal Count	COUNTY	"Other" Count
San Diego	21	San Diego	7	Orange	11
Los Angeles	20	Los Angeles	6	Sacramento	6
Santa Clara	10	Butte	3	Kern	4
Orange	5	Santa Clara	3	Merced	2
Contra Costa	3	Contra Costa	2	Alameda	1
Merced	3	Orange	2	Contra Costa	1
Riverside	3	Plumas	2	Kings	1
Sacramento	3	Inyo	1	Marin	1
Alameda	2	Nevada	1	San Joaquin	1
Kern	2	San Francisco	1	Total	28
San Bernardino	1	San Luis Obispo	1		
Santa Barbara	1	Total	29		
Total	74				

In order to understand how support staff work influenced case services provided by attorneys during the workload study, matching attorney time to support staff time associated with the same cases was attempted. However, the match between attorney-reported client case numbers and support staff case numbers was poor. There are two possible reasons for the inability to match workload study cases between support staff and attorneys:

**Request for Comment
Attachment A**

- Support staff did not have access to court case numbers, used by attorneys as unique case identifiers for workload study submissions. Social workers/investigators often revealed during training sessions for the study that they were familiar with county department of social services case numbers but not those generated by the courts.
- Attorneys and support do not routinely work on the same cases at the same time. If support staff are conducting certain activities that attorneys are not, they may be completing work on cases that related attorneys are not currently working on.

It is likely that both reasons contributed to the poor match between attorney and support staff cases in the workload study data. Given this limitation in the data, the relative case service contribution of support staff was analyzed uniquely, and not in direct matching to cases attorneys touched during the workload study.

Identification of Attorneys with Support Staff

Prior to the onset of the workload study, AOC staff administered a survey to determine which attorneys had support staff available to them. Support staff survey data was matched to attorney workload study data. This match was not perfect: not all attorneys who participated in the workload study responded to the support staff survey; some attorneys who completed the support staff survey did not participate in the workload study. Table 2 shows the number of attorneys for which support was indicated, was not indicated, or was not matched across the two datasets.

Table 2: Results of Match Between Workload Study Data and AOC Survey

	Frequency	Percent
Support Staff Indicated	255	43.10%
No Support/No Answer	274	46.40%
Not in Dbase/unknown	62	10.50%
Total	591	100%

**Request for Comment
Attachment A**

It is important to note the distinction between “no support” and “no answer.” Attorneys who completed the support staff survey had the opportunity to respond in the negative to the question concerning support staff. Only ten did so. It is assumed for the analyses to follow that a non-answer (leaving the support staff item blank) survey response should be treated as a “no.” This interpretation is bolstered by the fact that in cases where respondents left the item blank, no further detail about the type of support staff available was indicated elsewhere in the survey.

Workload Study Results: Attorneys With and Without Support Staff

The workload study results of attorneys with and without support were analyzed. Table 3 shows that the availability of support staff did not seem to influence average attorney case service time before, during, or after hearings. There is a slight increase in time per case for pre-hearing activities among those attorneys without support, but this difference (amounting to three minutes per case) is statistically significant at a marginal level ($p=.078$, with a standard in social sciences of $p<.05$). These results are counterintuitive to the idea that support staff provide case services that attorneys need not provide themselves, therefore reducing attorney service time per-case.

Table 3: Support vs. No Support by Case Phase

Support Y/N	Case Phase	Mean	N	Std. Deviation	Median
Support	Pre-Hearing	0:44:34	8944	1:19:47	0:25:00
	At Hearing	0:28:36	5751	0:50:44	0:15:00
	Appeal	3:11:19	58	6:39:19	0:49:00
	Total	0:38:55	14753	1:15:02	0:20:00
No Support	Pre-Hearing	0:47:32	6379	1:32:41	0:23:00
	At Hearing	0:27:56	5397	0:46:24	0:15:00
	Appeal	3:28:35	45	6:07:37	1:00:00
	Total	0:39:12	11821	1:19:32	0:19:00
Unknown	Pre-Hearing	0:44:11	2001	1:28:17	0:20:00
	At Hearing	0:31:22	1152	0:53:26	0:15:00
	Appeal	2:11:41	13	4:04:45	0:25:00
	Total	0:39:52	3166	1:19:08	0:20:00

**Request for Comment
Attachment A**

This pattern of results then suggests that attorney time is only marginally impacted by the existence of support staff. In order to gain a complete understanding of the relative impact of support staff on attorney work it is important however to analyze the support staff contribution independent of any impact on attorney time.

Workload Study Results: Support Staff Only

As outlined in Table 1, 74 social worker/investigators, 29 paralegals and 28 "other support" completed the workload study. A summary of their workload study data appears in Table 4.

Table 4: Number of Cases and Average Time per Case, Support

Social Workers/Invest	N	Mean	Median
Detention	72	4:21:00	3:53:00
Juris/Dispo	518	12:46:00	9:13:00
Review	2184	10:49:00	9:08:00
".26"	217	11:05:00	8:09:00
Post-Perm Plan	686	5:30:00	4:01:00

Paralegal	N	Mean	Median
Detention	70	0:28:12	0:24:36
Juris/Dispo	187	0:32:42	0:28:37
Review	684	0:23:00	0:16:26
".26"	81	0:18:27	0:19:33
Post-Perm Plan	247	0:28:35	0:26:25

"Others"	N	Mean	Median
Detention	131	1:08:26	0:59:17
Juris/Dispo	239	1:40:16	1:36:00
Review	554	0:34:55	0:31:35
".26"	73	0:21:35	0:18:15
Post-Perm Plan	47	1:06:00	1:02:00

Note that in Table 4, it is apparent that support staff time is primarily concentrated in the hearing classification "Review Hearing" (post Disposition through the end of Reunification/In-Home Services); over 50 percent of all cases worked on by support staff during the workload study period were at this Hearing Classification stage. Post-

**Request for Comment
Attachment A**

Permanent Plan was a secondary emphasis, although "Others" (that is, non-social worker/investigators or paralegals still deemed by their attorneys to play a significant role in case service work) also worked on a significant number of cases at the Jurisdiction/Disposition Hearing stage.

Table 4 shows that support staff, particularly social workers, spend a significant amount of time on casework. In order to investigate where, exactly, support staff reported their case service time, an analysis of average time per activity and task was performed. In Table 5, the three most time-consuming tasks for support staff are bolded, showing that a great deal of time is spent by support on case-related travel and in-person client communication.

Table 5: Average Time per Activity and Task List Item, Support Staff

Social Worker/Investigator			
	Activity and Task List Item	N	Mean Median
	Pre-P.Perm CASE PREP Communicate with client in-person	63	0:52:19 0:35:00
	Pre-P.Perm CASE PREP Travel	64	0:59:17 0:47:30
	Pre-Review CASE PREP Communicate with service providers	69	0:40:25 0:39:00
	Pre-Juris/Dispo CASE PREP Travel	70	0:57:10 0:37:30
	Pre-Juris/Dispo CASE PREP Other investigation or case manage	82	0:56:29 0:28:30
	Pre-P.Perm CASE PREP Other investigation or case management	82	0:26:49 0:15:00
	Pre-Juris/Dispo CASE PREP Notes to file	83	0:35:39 0:20:00
	Pre-Juris/Dispo CASE PREP Document review	88	0:40:16 0:28:00
	Pre-P.Perm CASE PREP Communicate with caregiver	97	0:23:59 0:15:00
	Pre-P.Perm CASE PREP Notes to file	102	0:24:50 0:10:00
	Pre-Review CASE PREP Communicate with client (not in person)	135	0:36:40 0:25:00
	Pre-Review CASE PREP Communicate with others	139	0:34:59 0:17:00
	Pre-P.Perm CASE PREP Document review	147	0:23:42 0:20:00
	Pre-Review CASE PREP Communicate with child welfare worker	161	0:19:47 0:15:00
	Pre-Review CASE PREP Communicate with client in-person	269	0:46:42 0:35:00
	Pre-Review CASE PREP Other investigation or case management	276	0:43:44 0:25:00
	Pre-Review CASE PREP Communicate with caregiver	310	0:32:30 0:25:00
	Pre-Review CASE PREP Travel	355	1:06:37 0:50:00
	Pre-Review CASE PREP Document review	372	0:25:28 0:20:00
	Pre-Review CASE PREP Notes to file	418	0:41:49 0:30:00

**Request for Comment
Attachment A**

Paralegal

Activity and Task List Item

Pre-Review CASE PREP Travel	21	0:45:28	0:27:00
Pre-P.Perm CASE PREP Communicate with caregiver	22	0:23:32	0:16:00
Pre-Review CASE PREP Communicate with others	23	0:21:05	0:10:00
Pre-P.Perm CASE PREP Communicate with child welfare worker	26	0:15:34	0:14:30
Pre-Juris/Dispo CASE PREP Document review	27	0:26:26	0:20:00
Pre-Review CASE PREP Communicate with child welfare worker	30	0:15:32	0:13:00
Pre-Juris/Dispo CASE PREP Communicate with client in-person	33	0:25:36	0:20:00
Pre-P.Perm CASE PREP Communicate with client (not in person)	33	0:29:58	0:25:00
Pre-Juris/Dispo CASE PREP Obtain and Review Discovery	34	0:15:03	0:15:00
Pre-P.Perm CASE PREP Other investigation or case management	34	0:25:33	0:15:00
Pre-P.Perm CASE PREP Notes to file	40	0:24:54	0:20:00
Pre-P.Perm CASE PREP Document review	42	0:19:55	0:15:00
Pre-Review CASE PREP Communicate with other counsel	45	0:14:17	0:14:00
Pre-Review CASE PREP Communicate with caregiver	51	0:23:18	0:15:00
Pre-Review CASE PREP Communicate with client in-person	53	0:48:15	0:30:00
Pre-Review CASE PREP Other investigation or case management	61	0:13:07	0:10:00
Pre-Review CASE PREP Notes to file	66	0:49:59	0:28:00
Pre-Review CASE PREP Communicate with client (not in person)	82	0:23:13	0:13:00
Pre-Review CASE PREP Document review	102	0:24:35	0:29:30
Pre-Review CASE PREP Obtain and Review Discovery	103	0:17:06	0:13:00

"Other"

Activity and Task List Item	N	Mean	Median
Pre-P.Perm CASE PREP Notes to file	14	0:26:00	0:22:00
Pre-Juris/Dispo CASE PREP Communicate with child welfare wor	15	0:13:20	0:08:00
Pre-Juris/Dispo CASE PREP Communicate with client (not in pe	18	0:17:53	0:15:00
Pre-Review CASE PREP Communicate with others	22	0:19:13	0:10:00
Pre-Juris/Dispo CASE PREP Other investigation or case manage	25	0:27:12	0:20:00
Pre-Juris/Dispo CASE PREP Communicate with caregiver	30	0:22:50	0:15:00
Pre-Juris/Dispo CASE PREP Communicate with client in-person	31	0:24:56	0:25:00
Pre-Juris/Dispo CASE PREP Travel	33	0:50:52	0:38:00
Pre-Review CASE PREP Other investigation or case management	35	0:24:06	0:20:00
Pre-Review OTHER HEARINGS PREP and filing of original or res	38	0:28:04	0:20:00
Pre-Juris/Dispo CASE PREP Document review	43	0:24:50	0:15:00
Pre-Juris/Dispo CASE PREP Notes to file	45	0:26:41	0:15:00
Pre-Review CASE PREP Communicate with child welfare worker	45	0:12:00	0:10:00
Pre-Review CASE PREP Communicate with client (not in person)	55	0:21:22	0:15:00
Pre-Review CASE PREP Communicate with caregiver	65	0:23:59	0:20:00
Pre-Review CASE PREP Document review	74	0:27:46	0:15:00
Pre-Review CASE PREP Communicate with client in-person	77	0:33:57	0:30:00
Pre-Review CASE PREP Travel	86	1:11:17	0:49:00
Pre-Detention CASE PREP Notes to file	98	0:11:00	0:05:00
Pre-Review CASE PREP Notes to file	124	0:32:44	0:30:00

Workload Study Task Data: Attorneys by Type of Support Staff

Table 6 outlines mean and median times for attorneys associated with each support staff type for the task "Communicate with client in-person" in order to identify any differential attorney time impact associated with support staff availability for this particular task.

Table 6: Average Attorney Case Time: Communication with Client In-Person, by Support

Service Unit	Support Staff	Mean	Median	N
Pre-Detention Communicate w/client in-person	Social Worker/Investigator	0:24:08	0:20:00	125
Pre-Detention Communicate w/client in-person	Other	0:22:42	0:20:00	68
Pre-Detention Communicate w/client in-person	Paralegal	0:28:09	0:22:30	40
Pre-Detention Communicate w/client in-person	none	0:30:42	0:20:00	177
Pre-Juris/Dispo Communicate w/client in-person	Social Worker/Investigator	0:25:12	0:17:00	189
Pre-Juris/Dispo Communicate w/client in-person	Other	0:29:34	0:20:00	134
Pre-Juris/Dispo Communicate w/client in-person	Paralegal	0:31:10	0:25:00	104
Pre-Juris/Dispo Communicate w/client in-person	none	0:31:09	0:20:00	393
Pre-Review Communicate w/client in-person	Social Worker/Investigator	0:20:29	0:15:00	308
Pre-Review Communicate w/client in-person	Other	0:23:09	0:15:00	170
Pre-Review Communicate w/client in-person	Paralegal	0:28:53	0:20:00	148
Pre-Review Communicate w/client in-person	none	0:25:50	0:20:00	507
Pre-.26 Hearing Communicate w/client in-person	Social Worker/Investigator	0:22:12	0:15:00	40
Pre-.26 Hearing Communicate w/client in-person	Other	0:32:57	0:20:00	28
Pre-.26 Hearing Communicate w/client in-person	Paralegal	0:33:08	0:19:00	14
Pre-.26 Hearing Communicate w/client in-person	none	0:30:28	0:17:30	68
Post-Perm Plan Communicate w/client in-person	Social Worker/Investigator	0:25:45	0:15:00	177
Post-Perm Plan Communicate w/client in-person	Other	0:27:07	0:15:00	49
Post-Perm Plan Communicate w/client in-person	Paralegal	0:36:59	0:25:00	49
Post-Perm Plan Communicate w/client in-person	none	0:34:42	0:25:00	218

As can be seen in Table 6, there is a general time-savings for those attorneys with support, however it is modest in comparison to those attorneys who do not have support. This time-savings is more apparent utilizing the mean versus the median, the former being more sensitive to extreme scores.

**Request for Comment
Attachment A**

These results suggest one of two possibilities in terms of the relative impact of support on attorney time:

- There are time-savings for attorneys who work with support staff, but these savings are not apparent from a two-week workload study. An inability to match case numbers between attorney and support cases and a relatively short workload study period may have masked the contribution of support to attorney case service time. Attorneys may indeed find time-savings because support is capable of aiding them in specific tasks, but this is not apparent in workload study results because those attorneys are utilizing their surplus time by focusing on other cases that do require more of their time. Only by tracking cases support staff work on in conjunction with attorney time on the same cases can the relative time-savings be noticeable.
- Attorneys with support spend approximately the same amount of time on casework as attorneys without support. Support staff work may be additive, that is, attorney service time is not decreased when attorneys can utilize support, instead attorneys and support together provide more case service time than those attorneys working without support.

**Request for Comment
Attachment B**

Sibling-Group Case vs. Single Child Case

In order to be certain that case service times were not heavily influenced by those attorneys with multiple-child cases as compared to those with only single-child cases, an analysis of case times for single vs. multiple child cases was conducted. The results can be found in Table 1.

As can be seen in Table 1, no discernable pattern emerges from this analysis. In some Hearing Classifications attorneys spent more time, on average, on sibling-group cases, while in others the reverse holds true.

**Request for Comment
Attachment B**

Table 1: Analysis of Case Time, One Child vs. Sibling Group Cases

Hearings	Single Child Case or Sibling Group	Mean	Median	N
Pre-Detention	Single Child Case	0:39:15	0:28:00	964
	More than One Child (Sibling Grp)	0:40:47	0:30:00	460
At Detention	Single Child Case	0:26:36	0:19:00	796
	More than One Child (Sibling Grp)	0:27:03	0:15:00	458
Pre-Juris/Dispo	Single Child Case	0:55:35	0:30:00	3030
	More than One Child (Sibling Grp)	0:59:43	0:30:00	1435
At Juris/Dispo	Single Child Case	0:34:59	0:15:00	1996
	More than One Child (Sibling Grp)	0:36:25	0:19:00	1011
Dispos. Appeal	Single Child Case	1:25:25	0:25:00	7
Pre-Review	Single Child Case	0:44:11	0:20:00	6278
	More than One Child (Sibling Grp)	0:48:29	0:21:00	3041
At Reviews	Single Child Case	0:29:55	0:17:00	2880
	More than One Child (Sibling Grp)	0:28:55	0:15:00	1708
Review Appeal	Single Child Case	1:10:53	0:30:00	19
	More than One Child (Sibling Grp)	10:04:00	11:52:00	3
Pre-".26"	Single Child Case	0:56:28	0:20:00	1182
	More than One Child (Sibling Grp)	0:52:03	0:21:00	566
At ".26"	Single Child Case	0:37:17	0:15:00	688
	More than One Child (Sibling Grp)	0:36:11	0:15:00	333
".26" Appeal	Single Child Case	3:10:45	1:00:00	45
	More than One Child (Sibling Grp)	3:45:45	0:46:00	28
Pre-P.Perm	Single Child Case	0:35:28	0:19:00	3615
	More than One Child (Sibling Grp)	0:38:28	0:20:00	1561
At P.Perm	Single Child Case	0:18:56	0:10:00	1881
	More than One Child (Sibling Grp)	0:20:21	0:10:00	865
P.Perm Appeal	Single Child Case	2:41:27	0:30:00	22
	More than One Child (Sibling Grp)	0:38:51	0:45:00	7

Dependency Counsel – Activities/Tasks By Hearing Classification

Hearing Classification: Beginning through Initial Hearing

Phase A. Initial/Detention Related Activities

Activity 1. Case Preparation, Investigation and Management

Investigation
Topic Checklist

- Task a. Document review
- Task b. Notes to file
- Task c. Draft orders
- Task d. Legal research
- Task e. Obtain and review discovery
- Task f. Communicate with client in-person
- Task g. Communicate with client
- Task h. Communicate with child welfare worker
- Task i. Communicate with other counsel
- Task j. Communicate with caregiver
- Task k. Communicate with service providers
- Task l. Communicate with others
- Task m. Other investigation or case management activity
- Task n. Travel

Activity 2. Motions and Other Hearings

- Task a. Client interview
- Task b. Investigation
- Task c. Preparation and filing of original or responsive pleadings
- Task d. Settlement conferences, family group conferences, and mediation
- Task e. Conduct hearing (witnesses testify)
- Task f. Conduct hearing (no witnesses do not testify)
- Task g. Wait time at hearing
- Task h. Draft settlement/order language
- Task i. Draft and file notice of appeal
- Task j. Travel

Activity 3. Initial/Detention Hearing Trial Preparation

- Task a. Preparing witnesses and experts for trial
- Task b. Complete and arrange service of subpoenas
- Task c. Preparation and filing of Motions in Limine
- Task d. Arranging for independent client evaluations
- Task e. Prepare cross-examination/argument
- Task f. Prepare trial brief
- Task g. Prepare offer of proof
- Task h. Prepare points and authorities
- Task i. Prepare and exchange witness lists

- Task j. Other initial/detention hearing trial preparation
- Task k. Travel

Hearing Classification: Beginning through Initial Hearing (continued)

Phase B. At Initial/Detention Hearing

- Activity 1. Conduct hearing (witnesses testify)
- Activity 2. Conduct hearing (witnesses do not testify)
- Activity 3. Wait time at hearing
- Activity 4. Draft settlement language
- Activity 5. Travel

Phase C. File Writ

- Activity 1. Prepare Writ
- Activity 2. File Writ
- Activity 3. Respond to Writ
- Activity 4. Oral Argument on the Writ

Hearing Classification: Post-Detention Hearing through Disposition

Phase A. Juris/Dispo Hearing Related Activities

Activity 1. Case Preparation, Investigation and Management

Investigation
Topic Checklist

- Task a. Document review
- Task b. Notes to file
- Task c. Draft orders
- Task d. Legal research
- Task e. Obtain and review discovery
- Task f. Communicate with client in-person
- Task g. Communicate with client
- Task h. Communicate with child welfare worker
- Task i. Communicate with other counsel
- Task j. Communicate with caregiver
- Task k. Communicate with service providers
- Task l. Communicate with others
- Task m. Other investigation or case management activity
- Task n. Travel

Activity 2. Motions and Other Hearings

- Task a. Client interview
- Task b. Investigation
- Task c. Preparation and filing of original or responsive pleadings
- Task d. Settlement conferences, family group conferences, mediation
- Task e. Conduct hearing (witnesses testify)
- Task f. Conduct hearing (witnesses do not testify)
- Task g. Wait time at hearing
- Task h. Draft settlement/order language
- Task i. Draft and file notice of appeal
- Task j. Travel

Activity 3. Juris/Dispo Trial Preparation

- Task a. Preparing witnesses and experts for trial
- Task b. Complete and arrange service of subpoenas
- Task c. Preparation and filing of Motions in Limine
- Task d. Arranging for independent client evaluations
- Task e. Preparing cross-examination/argument
- Task f. Prepare trial brief
- Task g. Prepare offer of proof
- Task h. Prepare points and authorities
- Task i. Prepare and exchange witness lists
- Task j. Other juris/dispo trial preparation
- Task k. Travel

Hearing Classification: Post-Detention Hearing through Disposition (continued)

Phase B. At Hearing

Check Jurisdiction only, Disposition only, Juris/Dispo combined

- Activity 1. Conduct hearing (witnesses testify)
- Activity 2. Conduct hearing (witnesses do not testify)
- Activity 3. Wait time at hearing
- Activity 4. Draft settlement language
- Activity 5. Travel

Phase C. File Notice of Appeal or Writ

- Activity 1. Prepare and file notice of appeal
- Activity 2. Prepare writ
- Activity 3. File writ
- Activity 4. Respond to writ
- Activity 5. Oral argument on the writ

Hearing Classification: Post-Disposition through End of Reunification Services and/or End of In-Home Dependency Period

Phase A. Review/Termination of Reunification Services Hearing Related Activities

Activity 1. Case Preparation, Investigation and Management

Investigation
Topic Checklist

- Task a. Document review
- Task b. Notes to file
- Task c. Draft orders
- Task d. Legal research
- Task e. Obtain and review discovery
- Task f. Communicate with client in-person
- Task g. Communicate with client
- Task h. Communicate with child welfare worker
- Task i. Communicate with other counsel
- Task j. Communicate with caregiver
- Task k. Communicate with service providers
- Task l. Communicate with CASA
- Task m. Communicate with others
- Task n. Other investigation or case management activity
- Task o. Travel

Activity 2. Motions and Other Hearings

- Task a. Client interview
- Task b. Investigation
- Task c. Preparation and filing of original or responsive pleadings
- Task d. Settlement conferences, family group conferences,
mediation
- Task e. Conduct hearing (witnesses testify)
- Task f. Conduct hearing (witnesses do not testify)
- Task g. Wait time at hearing
- Task h. Draft settlement/order language
- Task i. Draft and file notice of appeal
- Task j. Travel

Activity 3. Review Hearing Trial Preparation

- Task a. Prepare witnesses and experts for trial
- Task b. Complete and arrange for service of subpoenas
- Task c. Preparation and filing of Motions in Limine
- Task d. Arranging for independent client evaluations
- Task e. Preparing cross-examination/argument
- Task f. Prepare trial brief
- Task g. Prepare offer of proof
- Task h. Prepare points and authorities
- Task i. Prepare and exchange witness lists
- Task j. Other review hearing trial preparation activities

Task k. Travel

Hearing Classification: Post-Disposition through End of Reunification Services and/or End of In-Home Dependency Period (continued)

Phase B. Six-Month, Twelve-Month, or Eighteen-Month Statutory Review Hearing, or Termination

- Activity 1. Conduct hearing (witnesses testify)
- Activity 2. Conduct hearing (witnesses do not testify)
- Activity 3. Wait time at hearing
- Activity 4. Draft settlement language
- Activity 5. Travel

Phase C. File Notice of Appeal or Writ

- Activity 1. Prepare and file notice of appeal
- Activity 2. Prepare writ
- Activity 3. File writ
- Activity 4. Respond to writ
- Activity 5. Oral argument on the writ

Hearing Classification: Completion of the Selection and Implementation (.26)
Hearing and/or 39.1B Writ Preparation

Phase A. Selection and Implementation Hearing Trial Preparation

Activity 1. Case Preparation, Investigation and Management

- | |
|----------------------------------|
| Investigation
Topic Checklist |
|----------------------------------|
- Task a. Document review
 - Task b. Notes to file
 - Task c. Draft orders
 - Task d. Legal research
 - Task e. Obtain and review discovery
 - Task f. Communicate with client in-person
 - Task g. Communicate with client
 - Task h. Communicate with child welfare worker
 - Task i. Communicate with other counsel
 - Task j. Communicate with caregiver
 - Task k. Communicate with service providers
 - Task l. Communicate with CASA
 - Task m. Communicate with others
 - Task n. Other investigation or case management activity
 - Task o. Travel

Activity 2. Motions and Other Hearings

- Task a. Client interview
- Task b. Investigation
- Task c. Preparation and filing of original or responsive pleadings
- Task d. Settlement conferences, family group conferences, mediation
- Task e. Conduct hearing (witnesses testify)
- Task f. Conduct hearing (witnesses do not testify)
- Task g. Wait time at hearing
- Task h. Draft settlement/order language
- Task i. Draft and file notice of appeal
- Task j. Travel

Activity 3. 39.1B Writs

- Task a. Prepare and file notice of intent to file
- Task b. Request preparation and/or augmentation of record
- Task c. Review record
- Task d. Preparation and filing of original or responsive pleadings
- Task e. Oral argument
- Task f. Wait time at hearing
- Task g. Draft settlement/order language
- Task h. Travel

Hearing Classification: Completion of the Selection and Implementation (.26)
Hearing and/or 39.1B Writ Preparation

Phase A. Selection and Implementation Hearing Trial Preparation (continued)

Activity 4. Selection and Implementation Hearing Trial Preparation

- Task a. Preparing witnesses and experts for trial
- Task b. Complete and arrange for service of subpoenas
- Task c. Preparation and filing of Motions in Limine
- Task d. Arranging for independent client evaluations
- Task e. Prepare cross-examination/argument
- Task f. Prepare trial brief
- Task g. Prepare offer of proof
- Task h. Prepare points and authorities
- Task i. Prepare and exchange witness lists
- Task j. Other selection and implementation hearing trial preparation
- Task k. Travel

Phase B. At Selection and Implementation Hearing

If Permanent Plan decided, check return home, adoption, guardianship, living with relative, or long-term foster care.

- Activity 1. Conduct hearing (witnesses testify)
- Activity 2. Conduct hearing (witnesses do not testify)
- Activity 3. Wait time at hearing
- Activity 4. Draft settlement language
- Activity 5. Travel

Phase C. File Notice of Appeal or Writ

- Activity 1. Prepare and file notice of appeal
- Activity 2. Prepare writ
- Activity 3. File writ
- Activity 4. Respond to writ
- Activity 5. Oral argument on the writ

Hearing Classification: Post-Permanent Plan

Phase A. Post-Permanent Plan Hearing Related Activities

Activity 1. Case Preparation, Investigation and Management

Investigation
Topic Checklist

- Task a. Document review
- Task b. Notes to file
- Task c. Draft orders
- Task d. Legal research
- Task e. Obtain and review discovery
- Task f. Communicate with client in-person
- Task g. Communicate with client
- Task h. Communicate with child welfare worker
- Task i. Communicate with other counsel
- Task j. Communicate with caregiver
- Task k. Communicate with service providers
- Task l. Communicate with CASA
- Task m. Communicate with others
- Task n. Other investigation or case management activity
- Task o. Travel

Activity 2. Motions and Other Hearings

- Task a. Client interview
- Task b. Investigation
- Task c. Preparation and filing of original or responsive pleadings
- Task d. Settlement conferences, family group conferences, mediation
- Task e. Conduct hearing (witnesses testify)
- Task f. Conduct hearing (witnesses do not testify)
- Task g. Wait time at hearing
- Task h. Draft settlement/order language
- Task i. Draft and file notice of appeal
- Task j. Travel

Activity 3. Review (Post-Permanent Plan) Hearing Trial Preparation

- Task a. Preparing witnesses and experts for trial
- Task b. Complete and arrange for service of subpoenas
- Task c. Preparation and filing of Motions in Limine
- Task d. Arranging for independent client evaluations
- Task e. Prepare cross-examination/argument
- Task f. Prepare trial brief
- Task g. Prepare offer of proof
- Task h. Prepare points and authorities
- Task i. Prepare and exchange witness lists
- Task j. Other review hearing (post-permanent plan hearing) trial preparation activities

Task k. Travel

Hearing Classification: Post-Permanent Plan (continued)

Phase B. At Post-Permanent Plan Hearing

If Permanent Plan decided, check return home, adoption, guardianship, living with relative, or long-term foster care.

- Activity 1. Conduct hearing (witnesses testify)
- Activity 2. Conduct hearing (witnesses do not testify)
- Activity 3. Wait time at hearing
- Activity 4. Draft settlement language
- Activity 5. Travel

Phase C. File Notice of Appeal or Writ

- Activity 1. Prepare and file notice of appeal
- Activity 2. Prepare writ
- Activity 3. File writ
- Activity 4. Respond to writ
- Activity 5. Oral argument on the writ

Classification (Non-Hearing): Other Legal and Administrative Activities

- Activity 1. Non-dependency casework
- Activity 2. Administrative tasks (copying, filing, billing, etc.)
- Activity 3. Supervising (reviewing work, performance reviews)
- Activity 4. Lunch, leave, vacation, holiday, etc.
- Activity 5. Time to complete workload study

Case Management and Investigation Topic Checklist

Identification of and advocacy regarding:

- Alternative placement options/preparation of relative list
- Sibling placement
- Entitlement options
- Special needs
- Whether or not basic needs of child are being met
- Reasonable efforts to reunify
- Finalization of permanent plan
- Visitation issues
- ICWA issues
- Immigration issues
- Interests of child beyond scope of dependency proceedings

Other Investigation and Case Management Activities:

- Settlement attempts
- Supervise or observe visits
- Attend IEP conferences
- Paternity issues
- Identify covering social worker
- Locate client

Case Characteristics

- **Incarcerated parent**
- **Paternity issues**
- **361.5(b) bypass case**
- **Language issues**
- **Physical disability**
- **Mental disability**
- **Special education**
- **Sexual abuse**
- **Domestic violence**
- **Substance abuse**
- **Prior 300 case**
- **Concurrent adult criminal case**
- **Out-of-county placement**
- **ICWA issues**
- **Immigration issues**
- **241.1 issues**
- **Independent living skills**
- **Multiple placements**

Daily Log

Name _____ County _____ Date _____ Start time for today _____

Case Name/Number: _____ Other Person's Case Non-Case Multiple Cases # _____

Hearing Classification
 Detention Jurisdiction/Disposition Review .26 and/or 39.1B Post-Perm Plan Non-Case

Case Phase
 Before Hearing At 6/12/18 Month Review At Hearing At Termination Hearing File Appeal/Writ
If a juris/dispo hearing: Jurisdiction only Disposition only Jurisdiction/disposition combination

Activity: _____

Task Duration _____

Task: _____

Task End Time _____

If Permanent Plan is in place, please indicate:

Return to Home Adoption Guardianship Live with Relative Long-Term Foster Care

Investigation Topic Checklist

- | | | |
|--|--|--|
| <input type="checkbox"/> Alternative Placement Options/Prep. Relative List | <input type="checkbox"/> Finalization of Permanent | <input type="checkbox"/> Supervise or Observe Visits |
| <input type="checkbox"/> Sibling Placement | <input type="checkbox"/> Visitation Issues | <input type="checkbox"/> Attend IEP Conference |
| <input type="checkbox"/> Entitlement Options | <input type="checkbox"/> ICWA Issues | <input type="checkbox"/> Paternity Issues |
| <input type="checkbox"/> Special Needs | <input type="checkbox"/> Immigration Issues | <input type="checkbox"/> Identify Covering Social Worker |
| <input type="checkbox"/> Whether or Not Basic Needs of Child are Being Met | <input type="checkbox"/> Interests of Child Beyond Scope of Dependency Proceedings | <input type="checkbox"/> Locate Client |
| <input type="checkbox"/> Reasonable Efforts to Reunify | <input type="checkbox"/> Settlement Attempts | |

Case Name/Number: _____ Other Person's Case Non-Case Multiple Cases # _____

Hearing Classification
 Detention Jurisdiction/Disposition Review .26 and/or 39.1B Post-Perm Plan Non-Case

Case Phase
 Before Hearing At 6/12/18 Month Review At Hearing At Termination Hearing File Appeal/Writ
If you are at a jurisdiction/disposition hearing, is this a jurisdiction only? Disposition only? Or jurisdiction/disposition combination?

Activity: _____

Task Duration _____

Task: _____

Task End Time _____

If Permanent Plan is in place, please indicate:

Return to Home Adoption Guardianship Live with Relative Long-Term Foster Care

Investigation Topic Checklist

- | | | |
|--|--|--|
| <input type="checkbox"/> Alternative Placement Options/Prep. Relative List | <input type="checkbox"/> Finalization of Permanent | <input type="checkbox"/> Supervise or Observe Visits |
| <input type="checkbox"/> Sibling Placement | <input type="checkbox"/> Visitation Issues | <input type="checkbox"/> Attend IEP Conference |
| <input type="checkbox"/> Entitlement Options | <input type="checkbox"/> ICWA Issues | <input type="checkbox"/> Paternity Issues |
| <input type="checkbox"/> Special Needs | <input type="checkbox"/> Immigration Issues | <input type="checkbox"/> Identify Covering Social Worker |
| <input type="checkbox"/> Whether or Not Basic Needs of Child are Being Met | <input type="checkbox"/> Interests of Child Beyond Scope of Dependency Proceedings | <input type="checkbox"/> Locate Client |
| <input type="checkbox"/> Reasonable Efforts to Reunify | <input type="checkbox"/> Settlement Attempts | |

Representation and Case Characteristics Page
These items need only be entered ONCE for each case

Name _____ County _____

Case Name/Number: _____

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Parent Counsel | <input type="checkbox"/> Parent is a Minor | Number of Children in Family: _____ |
| <input type="checkbox"/> Child Counsel | Number of Children You Represent In This Case: _____ | |
| <input type="checkbox"/> De Facto Parent Counsel | | |

- | | | |
|--|--|---|
| <input type="checkbox"/> Incarcerated Parent | <input type="checkbox"/> Paternity Issues | <input type="checkbox"/> 361.5(b) Bypass Case |
| <input type="checkbox"/> Language Issues | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Mental Disability |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> Sexual Abuse | <input type="checkbox"/> Domestic Violence |
| <input type="checkbox"/> Substance Abuse | <input type="checkbox"/> Prior 300 Case | <input type="checkbox"/> Concurrent Adult Criminal Case |
| <input type="checkbox"/> Out-of-County Placement | <input type="checkbox"/> ICWA Issues | <input type="checkbox"/> Immigration Issues |
| <input type="checkbox"/> 241.1 Issues | <input type="checkbox"/> Independent Living Skills | <input type="checkbox"/> Multiple Placements |

Case Name/Number: _____

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Parent Counsel | <input type="checkbox"/> Parent is a Minor | Number of Children in Family: _____ |
| <input type="checkbox"/> Child Counsel | Number of Children You Represent In This Case: _____ | |
| <input type="checkbox"/> De Facto Parent Counsel | | |

- | | | |
|--|--|---|
| <input type="checkbox"/> Incarcerated Parent | <input type="checkbox"/> Paternity Issues | <input type="checkbox"/> 361.5(b) Bypass Case |
| <input type="checkbox"/> Language Issues | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Mental Disability |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> Sexual Abuse | <input type="checkbox"/> Domestic Violence |
| <input type="checkbox"/> Substance Abuse | <input type="checkbox"/> Prior 300 Case | <input type="checkbox"/> Concurrent Adult Criminal Case |
| <input type="checkbox"/> Out-of-County Placement | <input type="checkbox"/> ICWA Issues | <input type="checkbox"/> Immigration Issues |
| <input type="checkbox"/> 241.1 Issues | <input type="checkbox"/> Independent Living Skills | <input type="checkbox"/> Multiple Placements |

Case Name/Number: _____

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Parent Counsel | <input type="checkbox"/> Parent is a Minor | Number of Children in Family: _____ |
| <input type="checkbox"/> Child Counsel | Number of Children You Represent In This Case: _____ | |
| <input type="checkbox"/> De Facto Parent Counsel | | |

- | | | |
|--|--|---|
| <input type="checkbox"/> Incarcerated Parent | <input type="checkbox"/> Paternity Issues | <input type="checkbox"/> 361.5(b) Bypass Case |
| <input type="checkbox"/> Language Issues | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Mental Disability |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> Sexual Abuse | <input type="checkbox"/> Domestic Violence |
| <input type="checkbox"/> Substance Abuse | <input type="checkbox"/> Prior 300 Case | <input type="checkbox"/> Concurrent Adult Criminal Case |
| <input type="checkbox"/> Out-of-County Placement | <input type="checkbox"/> ICWA Issues | <input type="checkbox"/> Immigration Issues |
| <input type="checkbox"/> 241.1 Issues | <input type="checkbox"/> Independent Living Skills | <input type="checkbox"/> Multiple Placements |

Attorney**Child Case****Activity and Task List**

	Median	N
Pre-Detention CASE PREP Communicate with caregiver	0:15:00	37
Pre-Detention CASE PREP Communicate with child welfare worke	0:12:00	86
Pre-Detention CASE PREP Communicate with client (not in pers	0:20:00	50
Pre-Detention CASE PREP Communicate with client in-person	0:20:00	164
Pre-Detention CASE PREP Communicate with other counsel	0:10:00	90
Pre-Detention CASE PREP Communicate with Others	0:10:00	41
Pre-Detention CASE PREP Communicate with service providers	0:15:00	5
Pre-Detention CASE PREP Document review	0:15:00	324
Pre-Detention CASE PREP Draft orders	0:09:00	4
Pre-Detention CASE PREP Legal research	0:15:00	5
Pre-Detention CASE PREP Notes to file	0:10:00	54
Pre-Detention CASE PREP Obtain and Review Discovery	0:15:00	37
Pre-Detention CASE PREP Other case management activity	0:10:00	31
Pre-Detention CASE PREP Travel	0:23:30	24
Pre-Detention TRIAL PREP Arranging for independent client ev	0:15:00	1
Pre-Detention TRIAL PREP Other initial/detention hearing tri	0:25:00	29
Pre-Detention TRIAL PREP Prepare cross-examination/argument	0:23:00	3
Pre-Detention TRIAL PREP Prepare offer of proof	0:30:00	1
Pre-Detention TRIAL PREP Preparing witnesses and experts for	0:25:00	3
Pre-Detention TRIAL PREP Travel	0:17:00	10
Pre-Detention OTHER HEARINGS Client interview	0:22:00	16
Pre-Detention OTHER HEARINGS Conduct hearing (witnesses do n	0:15:00	13
Pre-Detention OTHER HEARINGS Investigation	0:10:00	5
Pre-Detention OTHER HEARINGS PREP and filing of original or	1:20:00	3
Pre-Detention OTHER HEARINGS Settlement conferences, family	0:23:00	4
Pre-Detention OTHER HEARINGS Travel	0:30:00	4
Pre-Detention OTHER HEARINGS Wait time at hearing	0:15:00	3
At Detention CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:15:00	545
At Detention CONDUCT HEARING (WITNESSES TESTIFY)	0:20:00	40
At Detention TRAVEL	0:20:00	37
At Detention WAIT TIME AT HEARING	0:20:00	104
Det. Appeal FILE WRIT	0:25:00	1
Pre-Juris/Dispo CASE PREP Communicate with caregiver	0:14:00	177
Pre-Juris/Dispo CASE PREP Communicate with child welfare wor	0:10:00	318
Pre-Juris/Dispo CASE PREP Communicate with client (not in pe	0:19:00	199
Pre-Juris/Dispo CASE PREP Communicate with client in-person	0:23:00	325
Pre-Juris/Dispo CASE PREP Communicate with other counsel	0:15:00	401
Pre-Juris/Dispo CASE PREP Communicate with Others	0:15:00	160
Pre-Juris/Dispo CASE PREP Communicate with service providers	0:15:00	65
Pre-Juris/Dispo CASE PREP Document review	0:15:00	902
Pre-Juris/Dispo CASE PREP Draft orders	0:20:00	19
Pre-Juris/Dispo CASE PREP Legal research	0:30:00	42
Pre-Juris/Dispo CASE PREP Notes to file	0:10:00	267
Pre-Juris/Dispo CASE PREP Obtain and Review Discovery	0:20:00	109
Pre-Juris/Dispo CASE PREP Other investigation or case manage	0:11:00	155
Pre-Juris/Dispo CASE PREP Travel	0:30:00	119
Pre-Juris/Dispo TRIAL PREP Arranging for independent client	0:50:00	5
Pre-Juris/Dispo TRIAL PREP Other Juris/Dispo trial PREP	0:30:00	131
Pre-Juris/Dispo TRIAL PREP Prepare and exchange witness list	0:27:30	6

Attorney**Child Case****Activity and Task List**

	Median	N
Pre-Juris/Dispo TRIAL PREP Prepare trial brief	0:35:00	9
Pre-Juris/Dispo TRIAL PREP Preparing cross-examination/argum	0:50:00	50
Pre-Juris/Dispo TRIAL PREP Preparing offer of proof	0:30:00	3
Pre-Juris/Dispo TRIAL PREP Preparing points and authorities	1:00:00	3
Pre-Juris/Dispo TRIAL PREP Preparing witnesses and experts f	0:28:00	34
Pre-Juris/Dispo TRIAL PREP Travel	0:15:00	5
Pre-Juris/Dispo OTHER HEARINGS Client interview	0:18:00	35
Pre-Juris/Dispo OTHER HEARINGS Conduct hearing (witnesses do	0:10:00	42
Pre-Juris/Dispo OTHER HEARINGS Conduct hearing (witnesses te	0:15:00	7
Pre-Juris/Dispo OTHER HEARINGS Draft and file notice of appe	0:25:00	1
Pre-Juris/Dispo OTHER HEARINGS Draft settlement/order langua	0:15:30	10
Pre-Juris/Dispo OTHER HEARINGS Investigation	0:15:00	15
Pre-Juris/Dispo OTHER HEARINGS PREP and filing of original o	0:20:00	23
Pre-Juris/Dispo OTHER HEARINGS Settlement conferences, famil	0:30:00	59
Pre-Juris/Dispo OTHER HEARINGS Travel	0:11:30	10
Pre-Juris/Dispo OTHER HEARINGS Wait time at hearing	0:30:00	13
At Juris/Dispo CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:13:00	1201
At Juris/Dispo CONDUCT HEARING (WITNESSES TESTIFY)	0:45:00	159
At Juris/Dispo DRAFT SETTLEMENT LANGUAGE	0:21:30	60
At Juris/Dispo TRAVEL	0:25:00	103
At Juris/Dispo WAIT TIME AT HEARING	0:24:30	272
Dispos. Appeal PREPARE AND FILE NOTICE OF APPEAL	0:09:00	2
Dispos. Appeal RESPOND TO WRIT	4:00:00	1
Pre-Review CASE PREP Communicate with caregiver	0:15:00	375
Pre-Review CASE PREP Communicate with CASA	0:10:00	90
Pre-Review CASE PREP Communicate with child welfare worker	0:10:00	766
Pre-Review CASE PREP Communicate with client (not in person)	0:15:00	429
Pre-Review CASE PREP Communicate with client in-person	0:20:00	535
Pre-Review CASE PREP Communicate with other counsel	0:10:00	551
Pre-Review CASE PREP Communicate with others	0:14:00	351
Pre-Review CASE PREP Communicate with service providers	0:15:00	194
Pre-Review CASE PREP Document review	0:11:00	1833
Pre-Review CASE PREP Draft orders	0:20:00	29
Pre-Review CASE PREP Legal research	0:30:00	73
Pre-Review CASE PREP Notes to file	0:09:00	520
Pre-Review CASE PREP Obtain and Review Discovery	0:15:00	95
Pre-Review CASE PREP Other investigation or case management	0:11:30	328
Pre-Review CASE PREP Travel	0:32:00	153
Pre-Review OTHER HEARINGS Client interview	0:15:00	49
Pre-Review OTHER HEARINGS Conduct hearing (witnesses do not	0:10:00	157
Pre-Review OTHER HEARINGS Conduct hearing (witnesses testify	0:35:00	10
Pre-Review OTHER HEARINGS Draft settlement/order language	0:12:00	17
Pre-Review OTHER HEARINGS Investigation	0:15:00	50
Pre-Review OTHER HEARINGS PREP and filing of original or res	0:25:00	49
Pre-Review OTHER HEARINGS Settlement conferences, family gro	0:25:00	70
Pre-Review OTHER HEARINGS Travel	0:30:00	15
Pre-Review OTHER HEARINGS Wait time at hearing	0:30:00	23
Pre-Review TRIAL PREP Arranging for independent client evalu	0:12:30	6
Pre-Review TRIAL PREP Complete and arrange for service of su	0:14:00	5

Attorney**Child Case****Activity and Task List**

	Median	N
Pre-Review TRIAL PREP Other review hearing trial PREP activi	0:30:00	82
Pre-Review TRIAL PREP PREP and filing of Motions in Limine	1:20:00	3
Pre-Review TRIAL PREP Prepare and exchange witness lists	0:17:30	10
Pre-Review TRIAL PREP Prepare offer of proof	0:23:00	7
Pre-Review TRIAL PREP Prepare points and authorities	2:15:00	3
Pre-Review TRIAL PREP Prepare trial brief	0:35:00	5
Pre-Review TRIAL PREP Prepare witnesses and experts for tria	0:22:00	23
Pre-Review TRIAL PREP Preparing cross-examination/argument	0:45:00	43
Pre-Review TRIAL PREP Travel	0:12:30	8
At Reviews CONDUCT HEARING (WITNESSES ABSENT)	0:10:00	1870
At Reviews CONDUCT HEARING (WITNESSES PRESENT)	0:25:00	163
At Reviews DRAFT SETTLEMENT LANGUAGE	0:20:00	30
At Reviews TRAVEL	0:20:00	120
At Reviews WAIT TIME AT HEARING	0:22:00	318
At Termination CONDUCT HEARING (WITNESSES ABSENT)	0:10:00	70
At Termination CONDUCT HEARING (WITNESSES PRESENT)	1:05:00	5
At Termination DRAFT SETTLEMENT LANGUAGE	0:17:30	4
At Termination TRAVEL	0:30:00	3
At Termination WAIT TIME AT HEARING	0:16:30	8
Review Appeal PREPARE WRIT	0:40:00	4
Review Appeal RESPOND TO WRIT	0:27:30	2
39.1B WRITS PREP and filing of original or responsive pleadi	0:50:00	3
39.1B WRITS Prepare and file notice of intent to file	1:10:00	1
39.1B WRITS Request PREP and/or augmentation of record	0:15:00	1
39.1B WRITS Review record	0:32:00	5
Pre-.26 CASE PREP Communicate with caregiver	0:15:00	111
Pre-.26 CASE PREP Communicate with CASA	0:10:00	7
Pre-.26 CASE PREP Communicate with child welfare worker	0:12:00	129
Pre-.26 CASE PREP Communicate with client (not in person)	0:17:30	58
Pre-.26 CASE PREP Communicate with client in-person	0:15:00	54
Pre-.26 CASE PREP Communicate with other counsel	0:12:00	147
Pre-.26 CASE PREP Communicate with others	0:15:00	67
Pre-.26 CASE PREP Communicate with service providers	0:18:30	24
Pre-.26 CASE PREP Document review	0:15:00	301
Pre-.26 CASE PREP Draft orders	0:20:00	12
Pre-.26 CASE PREP Initial document review	0:14:00	52
Pre-.26 CASE PREP Legal research	0:50:00	26
Pre-.26 CASE PREP Notes to file	0:10:00	111
Pre-.26 CASE PREP Obtain and Review Discovery	0:15:00	35
Pre-.26 CASE PREP Other investigation or case management act	0:14:30	72
Pre-.26 CASE PREP Travel	0:30:00	38
Pre-.26 OTHER HEARINGS Client interview	0:17:30	8
Pre-.26 OTHER HEARINGS Conduct hearing (witnesses do not tes	0:15:00	19
Pre-.26 OTHER HEARINGS Conduct hearing (witnesses testify)	1:01:30	2
Pre-.26 OTHER HEARINGS Draft and file notice of appeal	1:18:30	2
Pre-.26 OTHER HEARINGS Draft settlement/order language	0:08:00	3
Pre-.26 OTHER HEARINGS Investigation	0:30:00	10
Pre-.26 OTHER HEARINGS PREP and filing of original or respon	0:45:00	13
Pre-.26 OTHER HEARINGS Settlement conferences, family group	0:10:00	17

Attorney**Child Case****Activity and Task List**

	Median	N
Pre-.26 OTHER HEARINGS Travel	0:45:00	3
Pre-.26 OTHER HEARINGS Wait time at hearing	0:21:30	12
Pre-.26 TRIAL PREPARAT Arranging for independent client eval	0:15:00	3
Pre-.26 TRIAL PREPARAT Complete and arrange for service of s	0:38:00	1
Pre-.26 TRIAL PREPARAT Other selection and implementation he	0:30:00	16
Pre-.26 TRIAL PREPARAT PREP and filing of Motions in Limine	0:40:00	1
Pre-.26 TRIAL PREPARAT Prepare and exchange witness lists	0:20:00	2
Pre-.26 TRIAL PREPARAT Prepare cross-examination/argument	0:35:30	20
Pre-.26 TRIAL PREPARAT Prepare offer of proof	0:08:00	1
Pre-.26 TRIAL PREPARAT Prepare trial brief	1:10:00	3
Pre-.26 TRIAL PREPARAT Preparing witnesses and experts for t	0:15:00	5
Pre-.26 TRIAL PREPARAT Travel	0:12:30	2
At .26 CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:10:00	417
At .26 CONDUCT HEARING (WITNESSES TESTIFY)	0:46:30	50
At .26 DRAFT SETTLEMENT LANGUAGE	0:20:00	6
At .26 TRAVEL	0:30:00	24
At .26 WAIT TIME AT HEARING	0:25:00	97
.26 Appeal FILE WRIT	0:17:30	2
.26 Appeal ORAL ARGUMENT ON THE WRIT	0:10:00	1
.26 Appeal PREPARE AND FILE NOTICE OF APPEAL	0:40:00	5
.26 Appeal PREPARE WRIT	6:23:00	5
.26 Appeal RESPOND TO WRIT	2:43:00	4
Pre-P.Perm CASE PREP Communicate with caregiver	0:15:00	406
Pre-P.Perm CASE PREP Communicate with CASA	0:15:00	94
Pre-P.Perm CASE PREP Communicate with child welfare worker	0:10:00	623
Pre-P.Perm CASE PREP Communicate with client (not in person)	0:15:00	436
Pre-P.Perm CASE PREP Communicate with client in-person	0:20:00	327
Pre-P.Perm CASE PREP Communicate with other counsel	0:12:00	336
Pre-P.Perm CASE PREP Communicate with others	0:13:00	329
Pre-P.Perm CASE PREP Communicate with service providers	0:15:00	202
Pre-P.Perm CASE PREP Document review	0:10:00	1486
Pre-P.Perm CASE PREP Draft orders	0:10:00	48
Pre-P.Perm CASE PREP Legal research	0:30:00	52
Pre-P.Perm CASE PREP Notes to file	0:10:00	497
Pre-P.Perm CASE PREP Obtain and review discovery	0:12:00	71
Pre-P.Perm CASE PREP Other investigation or case management	0:10:00	334
Pre-P.Perm CASE PREP Travel	0:40:00	91
Pre-P.Perm OTHER HEARINGS Client interview	0:15:00	42
Pre-P.Perm OTHER HEARINGS Conduct hearing (witnesses do not	0:12:00	41
Pre-P.Perm OTHER HEARINGS Conduct hearing (witnesses testify	1:30:00	5
Pre-P.Perm OTHER HEARINGS Draft and file notice of appeal	2:43:00	1
Pre-P.Perm OTHER HEARINGS Draft settlement/order language	0:16:00	15
Pre-P.Perm OTHER HEARINGS Invalid/Missing Task Data	0:13:00	1
Pre-P.Perm OTHER HEARINGS Investigation	0:20:00	49
Pre-P.Perm OTHER HEARINGS PREP and filing of original or res	0:31:00	91
Pre-P.Perm OTHER HEARINGS Settlement conferences, family gro	0:15:00	27
Pre-P.Perm OTHER HEARINGS Travel	0:19:30	10
Pre-P.Perm OTHER HEARINGS Wait time at hearing	0:20:00	13
Pre-P.Perm TRIAL PREP Arranging for independent client evalu	0:25:00	7

Attorney**Child Case****Activity and Task List**

	Median	N
Pre-P.Perm TRIAL PREP Complete and arrange for service of su	0:24:00	1
Pre-P.Perm TRIAL PREP Other review hearing trial prep	0:15:00	18
Pre-P.Perm TRIAL PREP PREP and filing of Motions in Limine	0:27:00	2
Pre-P.Perm TRIAL PREP Prepare and exchange witness lists	0:25:00	1
Pre-P.Perm TRIAL PREP Prepare cross-examination/argument	0:30:00	11
Pre-P.Perm TRIAL PREP Prepare offer of proof	0:23:00	2
Pre-P.Perm TRIAL PREP Prepare points and authorities	2:05:00	5
Pre-P.Perm TRIAL PREP Preparing witnesses and experts for tr	0:18:00	10
Pre-P.Perm TRIAL PREP Travel	0:55:00	5
At P.Perm CONDUCT HEARING (WITNESSES ABSENT)	0:10:00	1510
At P.Perm CONDUCT HEARING (WITNESSES PRESENT)	0:15:00	94
At P.Perm DRAFT SETTLEMENT LANGUAGE	0:08:00	28
At P.Perm TRAVEL	0:30:00	71
At P.Perm WAIT TIME AT HEARING	0:15:30	230
P.Perm Appeal FILE WRIT	0:15:00	1
P.Perm Appeal ORAL ARGUMENT ON THE WRIT	3:30:00	1
P.Perm Appeal PREPARE AND FILE NOTICE OF APPEAL	0:05:00	1
P.Perm Appeal PREPARE WRIT	0:20:00	3
P.Perm Appeal RESPOND TO WRIT	0:32:30	4

Attorney**Parent Case****Activity and Task List**

	Median	N
Pre-Detention CASE PREP Communicate with caregiver	0:05:00	7
Pre-Detention CASE PREP Communicate with child welfare worke	0:10:00	79
Pre-Detention CASE PREP Communicate with client (not in pers	0:19:00	103
Pre-Detention CASE PREP Communicate with client in-person	0:20:00	301
Pre-Detention CASE PREP Communicate with other counsel	0:10:00	101
Pre-Detention CASE PREP Communicate with Others	0:10:00	40
Pre-Detention CASE PREP Communicate with service providers	0:35:00	6
Pre-Detention CASE PREP Document review	0:15:00	379
Pre-Detention CASE PREP Draft orders	0:35:00	2
Pre-Detention CASE PREP Legal research	1:00:00	5
Pre-Detention CASE PREP Notes to file	0:10:00	49
Pre-Detention CASE PREP Obtain and Review Discovery	0:10:30	52
Pre-Detention CASE PREP Other case management activity	0:07:30	40
Pre-Detention CASE PREP Travel	0:15:00	33
Pre-Detention TRIAL PREP Other initial/detention hearing tri	0:20:00	35
Pre-Detention TRIAL PREP Prepare cross-examination/argument	1:07:30	2
Pre-Detention TRIAL PREP Preparing witnesses and experts for	0:45:00	3
Pre-Detention TRIAL PREP Travel	0:20:00	7
Pre-Detention OTHER HEARINGS Client interview	0:20:00	15
Pre-Detention OTHER HEARINGS Conduct hearing (witnesses do n	0:22:30	8
Pre-Detention OTHER HEARINGS Conduct hearing (witnesses pres	0:15:00	1
Pre-Detention OTHER HEARINGS Investigation	0:15:00	6
Pre-Detention OTHER HEARINGS PREP and filing of original or	0:30:00	3
Pre-Detention OTHER HEARINGS Settlement conferences, family	0:25:00	5
Pre-Detention OTHER HEARINGS Travel	0:30:00	4
Pre-Detention OTHER HEARINGS Wait time at hearing	0:21:00	4
At Detention CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:15:00	601
At Detention CONDUCT HEARING (WITNESSES TESTIFY)	0:20:00	50
At Detention DRAFT SETTLEMENT LANGUAGE	0:30:00	3
At Detention TRAVEL	0:15:00	45
At Detention WAIT TIME AT HEARING	0:20:00	96
Det. Appeal RESPOND TO WRIT	0:40:00	1
Pre-Juris/Dispo CASE PREP Communicate with caregiver	0:15:00	59
Pre-Juris/Dispo CASE PREP Communicate with child welfare wor	0:10:00	329
Pre-Juris/Dispo CASE PREP Communicate with client (not in pe	0:15:00	496
Pre-Juris/Dispo CASE PREP Communicate with client in-person	0:20:00	627
Pre-Juris/Dispo CASE PREP Communicate with other counsel	0:12:00	432
Pre-Juris/Dispo CASE PREP Communicate with Others	0:10:00	151
Pre-Juris/Dispo CASE PREP Communicate with service providers	0:11:00	46
Pre-Juris/Dispo CASE PREP Document review	0:15:00	1010
Pre-Juris/Dispo CASE PREP Draft orders	0:18:00	33
Pre-Juris/Dispo CASE PREP Legal research	0:36:00	73
Pre-Juris/Dispo CASE PREP Notes to file	0:10:00	269
Pre-Juris/Dispo CASE PREP Obtain and Review Discovery	0:17:00	142
Pre-Juris/Dispo CASE PREP Other investigation or case manage	0:10:00	169
Pre-Juris/Dispo CASE PREP Travel	0:30:00	102
Pre-Juris/Dispo TRIAL PREP Arranging for independent client	0:30:00	6
Pre-Juris/Dispo TRIAL PREP Complete and arrange for service	0:30:00	16

**Attorney
Parent Case**

Activity and Task List

	Median	N
Pre-Juris/Dispo TRIAL PREP Other Juris/Dispo trial PREP	0:30:00	127
Pre-Juris/Dispo TRIAL PREP Preparation and filing of Motions	2:36:00	9
Pre-Juris/Dispo TRIAL PREP Prepare and exchange witness list	0:22:00	8
Pre-Juris/Dispo TRIAL PREP Prepare trial brief	1:10:00	8
Pre-Juris/Dispo TRIAL PREP Preparing cross-examination/argum	0:53:00	59
Pre-Juris/Dispo TRIAL PREP Preparing offer of proof	0:20:00	9
Pre-Juris/Dispo TRIAL PREP Preparing points and authorities	1:48:30	6
Pre-Juris/Dispo TRIAL PREP Preparing witnesses and experts f	0:30:00	43
Pre-Juris/Dispo TRIAL PREP Travel	0:25:00	19
Pre-Juris/Dispo OTHER HEARINGS Client interview	0:18:00	43
Pre-Juris/Dispo OTHER HEARINGS Conduct hearing (witnesses do	0:15:00	73
Pre-Juris/Dispo OTHER HEARINGS Conduct hearing (witnesses te	0:30:00	5
Pre-Juris/Dispo OTHER HEARINGS Draft settlement/order langua	0:20:00	15
Pre-Juris/Dispo OTHER HEARINGS Invalid/Missing Task Data	0:30:00	1
Pre-Juris/Dispo OTHER HEARINGS Investigation	0:30:00	11
Pre-Juris/Dispo OTHER HEARINGS PREP and filing of original o	0:26:30	34
Pre-Juris/Dispo OTHER HEARINGS Settlement conferences, famil	0:40:00	80
Pre-Juris/Dispo OTHER HEARINGS Travel	0:30:00	21
Pre-Juris/Dispo OTHER HEARINGS Wait time at hearing	0:30:00	22
At Juris/Dispo CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:15:00	1389
At Juris/Dispo CONDUCT HEARING (WITNESSES TESTIFY)	0:45:00	167
At Juris/Dispo DRAFT SETTLEMENT LANGUAGE	0:30:00	78
At Juris/Dispo TRAVEL	0:30:00	121
At Juris/Dispo WAIT TIME AT HEARING	0:25:00	286
Dispos. Appeal FILE WRIT	0:15:00	1
Dispos. Appeal PREPARE AND FILE NOTICE OF APPEAL	1:12:30	2
Dispos. Appeal PREPARE WRIT	3:00:00	1
Pre-Review CASE PREP Communicate with caregiver	0:10:00	84
Pre-Review CASE PREP Communicate with CASA	0:10:00	38
Pre-Review CASE PREP Communicate with child welfare worker	0:10:00	524
Pre-Review CASE PREP Communicate with client (not in person)	0:15:00	894
Pre-Review CASE PREP Communicate with client in-person	0:15:00	756
Pre-Review CASE PREP Communicate with other counsel	0:10:00	627
Pre-Review CASE PREP Communicate with others	0:10:00	238
Pre-Review CASE PREP Communicate with service providers	0:15:00	99
Pre-Review CASE PREP Document review	0:11:00	1662
Pre-Review CASE PREP Draft orders	0:11:00	37
Pre-Review CASE PREP Legal research	0:30:00	49
Pre-Review CASE PREP Notes to file	0:08:00	526
Pre-Review CASE PREP Obtain and Review Discovery	0:12:00	134
Pre-Review CASE PREP Other investigation or case management	0:08:00	202
Pre-Review CASE PREP Travel	0:30:00	111
Pre-Review OTHER HEARINGS Client interview	0:15:00	71
Pre-Review OTHER HEARINGS Conduct hearing (witnesses do not	0:10:00	202
Pre-Review OTHER HEARINGS Conduct hearing (witnesses testify	0:20:00	11
Pre-Review OTHER HEARINGS Draft and file notice of appeal	0:05:00	5
Pre-Review OTHER HEARINGS Draft settlement/order language	0:15:00	13
Pre-Review OTHER HEARINGS Investigation	0:11:30	40
Pre-Review OTHER HEARINGS PREP and filing of original or res	0:40:00	76

Attorney**Parent Case****Activity and Task List**

	Median	N
Pre-Review OTHER HEARINGS Settlement conferences, family gro	0:30:00	60
Pre-Review OTHER HEARINGS Travel	0:20:00	19
Pre-Review OTHER HEARINGS Wait time at hearing	0:19:00	44
Pre-Review TRIAL PREP Complete and arrange for service of su	0:15:00	13
Pre-Review TRIAL PREP Other review hearing trial PREP activi	0:30:00	116
Pre-Review TRIAL PREP PREP and filing of Motions in Limine	0:11:00	2
Pre-Review TRIAL PREP Prepare and exchange witness lists	0:12:30	6
Pre-Review TRIAL PREP Prepare offer of proof	0:31:00	6
Pre-Review TRIAL PREP Prepare points and authorities	0:37:30	2
Pre-Review TRIAL PREP Prepare trial brief	0:01:00	1
Pre-Review TRIAL PREP Prepare witnesses and experts for tria	0:42:30	54
Pre-Review TRIAL PREP Preparing cross-examination/argument	0:40:00	65
Pre-Review TRIAL PREP Travel	0:25:00	9
At Reviews CONDUCT HEARING (WITNESSES ABSENT)	0:10:00	2008
At Reviews CONDUCT HEARING (WITNESSES PRESENT)	0:35:00	209
At Reviews DRAFT SETTLEMENT LANGUAGE	0:30:00	73
At Reviews TRAVEL	0:25:00	151
At Reviews WAIT TIME AT HEARING	0:20:00	379
At Termination CONDUCT HEARING (WITNESSES ABSENT)	0:15:00	71
At Termination CONDUCT HEARING (WITNESSES PRESENT)	1:25:00	14
At Termination DRAFT SETTLEMENT LANGUAGE	0:35:00	11
At Termination TRAVEL	0:25:30	6
At Termination WAIT TIME AT HEARING	0:43:30	14
Review Appeal FILE WRIT	0:54:00	3
Review Appeal PREPARE WRIT	0:27:30	8
Review Appeal RESPOND TO WRIT	0:50:00	3
39.1B WRITS Draft settlement/order language	0:15:00	1
39.1B WRITS PREP and filing of original or responsive pleadi	4:00:00	3
39.1B WRITS Prepare and file notice of intent to file	0:15:00	3
39.1B WRITS Request PREP and/or augmentation of record	1:00:00	4
39.1B WRITS Review record	1:52:00	16
39.1B WRITS Travel	0:35:00	1
Pre-.26 CASE PREP Communicate with caregiver	0:17:00	37
Pre-.26 CASE PREP Communicate with CASA	0:20:00	2
Pre-.26 CASE PREP Communicate with child welfare worker	0:10:00	88
Pre-.26 CASE PREP Communicate with client (not in person)	0:15:00	190
Pre-.26 CASE PREP Communicate with client in-person	0:15:00	111
Pre-.26 CASE PREP Communicate with other counsel	0:15:00	120
Pre-.26 CASE PREP Communicate with others	0:15:00	69
Pre-.26 CASE PREP Communicate with service providers	0:15:00	23
Pre-.26 CASE PREP Document review	0:15:00	304
Pre-.26 CASE PREP Draft orders	0:30:00	11
Pre-.26 CASE PREP Initial document review	0:10:00	56
Pre-.26 CASE PREP Legal research	0:28:00	36
Pre-.26 CASE PREP Notes to file	0:10:00	96
Pre-.26 CASE PREP Obtain and Review Discovery	0:25:00	27
Pre-.26 CASE PREP Other investigation or case management act	0:10:00	56
Pre-.26 CASE PREP Travel	0:30:00	28
Pre-.26 OTHER HEARINGS Client interview	0:15:00	19

Attorney**Parent Case****Activity and Task List****Median N**

Pre-.26 OTHER HEARINGS Conduct hearing (witnesses do not tes	0:14:00	35
Pre-.26 OTHER HEARINGS Conduct hearing (witnesses testify)	1:15:00	5
Pre-.26 OTHER HEARINGS Draft settlement/order language	0:15:00	5
Pre-.26 OTHER HEARINGS Investigation	0:23:00	10
Pre-.26 OTHER HEARINGS PREP and filing of original or respon	1:03:00	31
Pre-.26 OTHER HEARINGS Settlement conferences, family group	0:21:30	22
Pre-.26 OTHER HEARINGS Travel	0:30:00	10
Pre-.26 OTHER HEARINGS Wait time at hearing	0:30:00	13
Pre-.26 TRIAL PREPARAT Complete and arrange for service of s	0:30:00	1
Pre-.26 TRIAL PREPARAT Invalid/Missing Task Data	0:05:00	1
Pre-.26 TRIAL PREPARAT Other selection and implementation he	0:30:00	21
Pre-.26 TRIAL PREPARAT Prepare and exchange witness lists	0:09:00	1
Pre-.26 TRIAL PREPARAT Prepare cross-examination/argument	0:34:00	14
Pre-.26 TRIAL PREPARAT Prepare offer of proof	0:25:00	3
Pre-.26 TRIAL PREPARAT Prepare trial brief	1:15:00	4
Pre-.26 TRIAL PREPARAT Preparing witnesses and experts for t	0:30:00	9
Pre-.26 TRIAL PREPARAT Travel	0:17:00	3
At .26 CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:10:00	464
At .26 CONDUCT HEARING (WITNESSES TESTIFY)	1:00:00	77
At .26 DRAFT SETTLEMENT LANGUAGE	0:11:30	6
At .26 TRAVEL	0:30:00	52
At .26 WAIT TIME AT HEARING	0:30:00	105
.26 Appeal FILE WRIT	0:45:00	12
.26 Appeal ORAL ARGUMENT ON THE WRIT	4:20:00	1
.26 Appeal PREPARE AND FILE NOTICE OF APPEAL	0:30:00	21
.26 Appeal PREPARE WRIT	3:50:00	25
.26 Appeal RESPOND TO WRIT	0:55:00	4
Pre-P.Perm CASE PREP Communicate with caregiver	0:13:00	64
Pre-P.Perm CASE PREP Communicate with CASA	0:07:30	20
Pre-P.Perm CASE PREP Communicate with child welfare worker	0:10:00	160
Pre-P.Perm CASE PREP Communicate with client (not in person)	0:15:00	342
Pre-P.Perm CASE PREP Communicate with client in-person	0:15:30	192
Pre-P.Perm CASE PREP Communicate with other counsel	0:10:00	162
Pre-P.Perm CASE PREP Communicate with others	0:10:00	60
Pre-P.Perm CASE PREP Communicate with service providers	0:11:00	38
Pre-P.Perm CASE PREP Document review	0:10:00	743
Pre-P.Perm CASE PREP Draft orders	0:10:00	22
Pre-P.Perm CASE PREP Legal research	0:28:00	17
Pre-P.Perm CASE PREP Notes to file	0:06:00	183
Pre-P.Perm CASE PREP Obtain and review discovery	0:10:00	46
Pre-P.Perm CASE PREP Other investigation or case management	0:05:00	82
Pre-P.Perm CASE PREP Travel	0:30:00	33
Pre-P.Perm OTHER HEARINGS Client interview	0:20:00	35
Pre-P.Perm OTHER HEARINGS Conduct hearing (witnesses do not	0:10:00	29
Pre-P.Perm OTHER HEARINGS Conduct hearing (witnesses testify)	0:25:00	1
Pre-P.Perm OTHER HEARINGS Draft settlement/order language	0:15:00	9
Pre-P.Perm OTHER HEARINGS Invalid/Missing Task Data	0:02:00	1
Pre-P.Perm OTHER HEARINGS Investigation	0:13:30	24
Pre-P.Perm OTHER HEARINGS PREP and filing of original or res	0:46:30	44

Attorney**Parent Case****Activity and Task List**

	Median	N
Pre-P.Perm OTHER HEARINGS Settlement conferences, family gro	0:20:00	11
Pre-P.Perm OTHER HEARINGS Travel	0:25:00	8
Pre-P.Perm OTHER HEARINGS Wait time at hearing	0:27:30	8
Pre-P.Perm TRIAL PREP Complete and arrange for service of su	0:40:00	2
Pre-P.Perm TRIAL PREP Other review hearing trial prep	0:20:00	14
Pre-P.Perm TRIAL PREP Prepare cross-examination/argument	0:47:00	3
Pre-P.Perm TRIAL PREP Prepare offer of proof	0:15:30	4
Pre-P.Perm TRIAL PREP Prepare points and authorities	1:00:00	1
Pre-P.Perm TRIAL PREP Preparing witnesses and experts for tr	0:35:00	5
Pre-P.Perm TRIAL PREP Travel	0:15:00	3
At P.Perm CONDUCT HEARING (WITNESSES ABSENT)	0:10:00	959
At P.Perm CONDUCT HEARING (WITNESSES PRESENT)	0:15:00	79
At P.Perm DRAFT SETTLEMENT LANGUAGE	0:25:00	19
At P.Perm TRAVEL	0:30:00	66
At P.Perm WAIT TIME AT HEARING	0:20:00	178
P.Perm Appeal FILE WRIT	0:35:00	2
P.Perm Appeal ORAL ARGUMENT ON THE WRIT	4:59:00	1
P.Perm Appeal PREPARE AND FILE NOTICE OF APPEAL	0:37:30	12
P.Perm Appeal PREPARE WRIT	1:23:30	4

Attorney**De Facto Parent Case****Activity and Task List**

	Median	N
Pre-Detention CASE PREP Document review	0:10:00	3
Pre-Detention OTHER HEARINGS Travel	0:17:00	1
At Detention CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:10:00	7
At Detention TRAVEL	0:40:00	3
At Detention WAIT TIME AT HEARING	0:23:30	2
Pre-Juris/Dispo CASE PREP Communicate with child welfare wor	0:12:00	3
Pre-Juris/Dispo CASE PREP Communicate with client (not in pe	0:30:00	6
Pre-Juris/Dispo CASE PREP Communicate with client in-person	0:12:30	6
Pre-Juris/Dispo CASE PREP Communicate with other counsel	0:07:30	6
Pre-Juris/Dispo CASE PREP Communicate with Others	0:10:00	2
Pre-Juris/Dispo CASE PREP Document review	0:15:00	13
Pre-Juris/Dispo CASE PREP Legal research	0:06:00	1
Pre-Juris/Dispo CASE PREP Notes to file	0:04:30	2
Pre-Juris/Dispo CASE PREP Other investigation or case manage	0:22:00	1
Pre-Juris/Dispo TRIAL PREP Preparing cross-examination/argum	0:30:00	1
Pre-Juris/Dispo OTHER HEARINGS Conduct hearing (witnesses do	0:07:30	2
Pre-Juris/Dispo OTHER HEARINGS PREP and filing of original o	1:25:00	1
Pre-Juris/Dispo OTHER HEARINGS Settlement conferences, famil	0:45:00	1
Pre-Juris/Dispo OTHER HEARINGS Travel	0:24:00	2
At Juris/Dispo CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:11:00	14
At Juris/Dispo CONDUCT HEARING (WITNESSES TESTIFY)	1:22:00	1
At Juris/Dispo TRAVEL	0:45:00	2
At Juris/Dispo WAIT TIME AT HEARING	0:25:00	6
Pre-Review CASE PREP Communicate with caregiver	0:15:00	1
Pre-Review CASE PREP Communicate with child welfare worker	0:15:00	6
Pre-Review CASE PREP Communicate with client (not in person)	0:15:00	24
Pre-Review CASE PREP Communicate with client in-person	0:30:00	9
Pre-Review CASE PREP Communicate with other counsel	0:13:30	14
Pre-Review CASE PREP Communicate with others	0:11:00	4
Pre-Review CASE PREP Communicate with service providers	0:20:00	1
Pre-Review CASE PREP Document review	0:10:00	28
Pre-Review CASE PREP Draft orders	0:10:00	1
Pre-Review CASE PREP Legal research	0:40:00	3
Pre-Review CASE PREP Notes to file	0:11:00	6
Pre-Review CASE PREP Obtain and Review Discovery	0:20:00	3
Pre-Review CASE PREP Other investigation or case management	0:05:00	3
Pre-Review CASE PREP Travel	0:30:00	3
Pre-Review OTHER HEARINGS Client interview	0:10:00	4
Pre-Review OTHER HEARINGS Conduct hearing (witnesses do not	0:19:00	3
Pre-Review OTHER HEARINGS Investigation	3:00:00	1
Pre-Review OTHER HEARINGS PREP and filing of original or res	0:06:00	1
Pre-Review OTHER HEARINGS Settlement conferences, family gro	0:06:00	1
Pre-Review OTHER HEARINGS Travel	0:29:30	2
Pre-Review OTHER HEARINGS Wait time at hearing	0:25:00	1
Pre-Review TRIAL PREP Other review hearing trial PREP activi	3:37:30	2
Pre-Review TRIAL PREP Preparing cross-examination/argument	2:45:00	1
At Reviews CONDUCT HEARING (WITNESSES ABSENT)	0:11:00	42

Attorney**De Facto Parent Case****Activity and Task List****Median N**

At Reviews CONDUCT HEARING (WITNESSES PRESENT)	0:25:00	3
At Reviews TRAVEL	0:42:30	2
At Reviews WAIT TIME AT HEARING	0:16:00	6
At Termination CONDUCT HEARING (WITNESSES ABSENT)	0:20:00	1
At Termination DRAFT SETTLEMENT LANGUAGE	0:30:00	1
Pre-.26 CASE PREP Communicate with CASA	0:10:00	1
Pre-.26 CASE PREP Communicate with child welfare worker	0:25:00	3
Pre-.26 CASE PREP Communicate with client (not in person)	0:20:00	4
Pre-.26 CASE PREP Communicate with client in-person	1:10:00	3
Pre-.26 CASE PREP Communicate with other counsel	0:15:00	7
Pre-.26 CASE PREP Communicate with others	0:30:00	3
Pre-.26 CASE PREP Document review	0:21:00	7
Pre-.26 CASE PREP Draft orders	0:10:00	1
Pre-.26 CASE PREP Initial document review	2:00:00	1
Pre-.26 CASE PREP Legal research	2:59:00	1
Pre-.26 CASE PREP Notes to file	0:30:00	1
Pre-.26 CASE PREP Other investigation or case management act	0:18:30	2
Pre-.26 CASE PREP Travel	0:35:00	1
Pre-.26 OTHER HEARINGS Draft settlement/order language	0:20:00	3
Pre-.26 OTHER HEARINGS Wait time at hearing	1:30:00	1
Pre-.26 TRIAL PREPARAT Other selection and implementation he	3:49:00	1
Pre-.26 TRIAL PREPARAT Prepare cross-examination/argument	2:05:00	1
At .26 CONDUCT HEARING (WITNESSES DO NOT TESTIFY)	0:10:00	4
At .26 CONDUCT HEARING (WITNESSES TESTIFY)	1:15:00	5
At .26 TRAVEL	0:15:00	3
At .26 WAIT TIME AT HEARING	0:58:00	3
Pre-P.Perm CASE PREP Communicate with caregiver	0:10:00	2
Pre-P.Perm CASE PREP Communicate with child welfare worker	0:10:00	9
Pre-P.Perm CASE PREP Communicate with client (not in person)	0:12:00	21
Pre-P.Perm CASE PREP Communicate with client in-person	0:20:00	11
Pre-P.Perm CASE PREP Communicate with other counsel	0:15:00	11
Pre-P.Perm CASE PREP Communicate with others	0:08:00	6
Pre-P.Perm CASE PREP Communicate with service providers	0:16:00	2
Pre-P.Perm CASE PREP Document review	0:10:00	35
Pre-P.Perm CASE PREP Legal research	2:02:30	2
Pre-P.Perm CASE PREP Notes to file	0:05:00	7
Pre-P.Perm CASE PREP Obtain and review discovery	0:06:00	4
Pre-P.Perm CASE PREP Travel	0:15:00	4
Pre-P.Perm OTHER HEARINGS Client interview	0:45:00	1
Pre-P.Perm OTHER HEARINGS Conduct hearing (witnesses do not	0:31:30	2
Pre-P.Perm OTHER HEARINGS Investigation	0:12:30	4
Pre-P.Perm OTHER HEARINGS PREP and filing of original or res	2:08:00	3
Pre-P.Perm OTHER HEARINGS Settlement conferences, family gro	0:05:00	1
Pre-P.Perm OTHER HEARINGS Travel	1:45:00	1
At P.Perm CONDUCT HEARING (WITNESSES ABSENT)	0:10:00	49
At P.Perm CONDUCT HEARING (WITNESSES PRESENT)	0:16:00	5
At P.Perm DRAFT SETTLEMENT LANGUAGE	0:35:00	3
At P.Perm TRAVEL	0:15:00	3
At P.Perm WAIT TIME AT HEARING	0:19:30	12

The Caseload Study for Court-Appointed Dependency Counsel

Hearing Classification: Beginning through Initial/Detention Hearing		Minutes to Complete: From Workload Data		
Phase A. Before Hearing		N	Median	Mean
Activity 1. Case Preparation		770	:15	:19
Document review and Obtain and review discovery				
Notes to file and Draft orders		107	:10	:12
Legal research		10	:38	:54
Communicate with client in-person		465	:20	:27
Communicate with client		153	:20	:24
Communicate with child welfare worker		165	:11	:15
Communicate with other counsel		191	:10	:14
Communicate with others		123	:13	:15
Other investigation or case management activity		71	:09	:29
Activity 2. Motions and Other Hearings		82	:21	:29
Activity 3. Detention Hearing Trial Preparation		82	:28	:32
Phase B. At Initial/Detention Hearing				
Conduct hearing (witnesses testify)		90	:20	:36
Conduct hearing (witnesses do not testify)		1146	:15	:19
Phase C. File Writ				
Prepare and file notice of appeal				
Prepare/File/Respond/Argue Writ				

The Caseload Study for Court-Appointed Dependency Counsel

Hearing Classification: Post-Detention Hearing through Disposition		Minutes to Complete: From Workload Data	
		N	Mean
Phase A. Before Hearing			
Activity 1. Case Preparation			
Document review and Obtain and review discovery		2083	:25
Notes to file and Draft orders		577	:15
Legal research		115	:33
Communicate with client in-person		952	:22
Communicate with client		695	:17
Communicate with child welfare worker		647	:10
Communicate with other counsel		833	:14
Communicate with others		588	:14
Other investigation or case management activity		324	:11
Activity 2. Motions and Other Hearings			
		415	:20
Activity 3. Juris/Dispo Trial Preparation			
		407	:35
Phase B. At Hearing: Juris-Dispo Combined			
Conduct hearing (witnesses testify)		326	:45
Conduct hearing (witnesses do not testify)		2590	:14
Phase C. File Writ			
Prepare/File/Respond/Argue Writ		3	2:49

The Caseload Study for Court-Appointed Dependency Counsel

Hearing Classification: 39.1B Writ Preparation through Completion of the Selection and Implementation (.26) Hearing			
	Minutes to Complete:		
	N	Median	Mean
Phase A. Before Hearing			
Activity 1. Case Preparation			
Document review and Obtain and review discovery	757	:15	:26
Notes to file and Draft orders	223	:10	:13
Legal research	62	:39	1:11
Communicate with client in-person	165	:15	:30
Communicate with client	248	:16	:25
Communicate with child welfare worker	217	:11	:15
Communicate with other counsel	267	:14	:20
Communicate with others	309	:15	:24
Other investigation or case management activity	128	:12	:18
Activity 2. Motions and Other Hearings			
	179	:23	:54
Activity 3. 39.1B Writs			
Prepare and file notice of intent to file	4	:42	:53
Request preparation and/or augmentation of record	5	:38	:41
Review Record	21	1:12	2:49
Preparation and filing of pleadings	6	2:25	5:05
Oral Argument	1	:15	:15
Draft settlement/order language			
Activity 4. .26 Hearing Trial Preparation			
	89	:37	:51
Phase B. At .26 Hearing			
Conduct hearing (witnesses testify)			
Conduct hearing (witnesses do not testify)	127	:53	1:24
	881	:10	:17
Phase C. File Notice of Appeal or Writ			
Prepare and file notice of appeal	26	:35	:58
Prepare /File/Respond/Argue Writ	46	3:00	4:46

The Caseload Study for Court-Appointed Dependency Counsel

Hearing Classification: Post-Disposition through End of Reunification Services and/or End of In-Home Dependency Period			
	Minutes to Complete: From Workload Data		
	N	Median	Mean
Phase A. Before Hearing			
Activity 1. Case Preparation			
Document review and obtain and review discovery	3661	:12	:18
Notes to file and Draft orders	1099	:10	:13
Legal research	122	:30	:43
Communicate with client in-person	1291	:18	:24
Communicate with client	1323	:15	:21
Communicate with child welfare worker	1291	:10	:15
Communicate with other counsel	1178	:10	:16
Communicate with others	1319	:14	:22
Other investigation or case management activity	530	:10	:18
Activity 2. Motions and Other Hearings			
	819	:17	:34
Activity 3. Review Hearing Trial Preparation			
	362	:32	:57
Phase B. Statutory Review Hearing			
At Hearing. Services Ongoing			
Conduct hearing (witnesses testify)	372	:30	1:00
Conduct hearing (witnesses do not testify)	3878	:10	:15
At Hearing. Services Terminating			
Conduct hearing (witnesses testify)	19	1:15	1:40
Conduct hearing (witnesses do not testify)	141	:13	:17
Phase C. File Notice of Appeal or Writ			
Prepare and file notice of appeal	12	:34	2:47
Prepare/File/Respond/Argue Writ	8	:40	2:16

The Caseload Study for Court-Appointed Dependency Counsel

Hearing Classification: Post-Permanent Plan		Minutes to Complete: From Workload Data	
	N	Median	Mean
Phase A. Before Hearing			
Activity 1. Case Preparation			
Document review and Obtain and review discovery	2323	:10	:15
Notes to file and Draft orders	736	:08	:10
Legal research	69	:29	:38
Communicate with client in-person	519	:18	:30
Communicate with client	778	:15	:20
Communicate with child welfare worker	783	:10	:16
Communicate with other counsel	498	:11	:18
Communicate with others	1056	:14	:22
Other investigation or case management activity	416	:07	:17
Activity 2. Motions and Other Hearings			
	390	:20	:41
Activity 3. Review Hearing Trial Preparation			
	85	:28	:37
Phase B. At Post Perm Plan Hearing			
Conduct hearing (witnesses testify)	173	:15	:29
Conduct hearing (witnesses do not testify)	2469	:10	:13
Phase C. File Notice of Appeal or Writ			
Prepare and file notice of appeal	15	:29	:36
Prepare/File/Respond/Argue Writ	14	:48	3:42





Workload Study Data: Parent Cases

service units: Pre-Detention Discovery/Doc Review

Sum	N	Mean	Median
18:03:00	413	0:20:03	0:15:00

service units: Pre-Detention Notes to Filer/Draft Orders

Sum	N	Mean	Median
8:56:00	50	0:10:43	0:10:00

service units: Pre-Detention Legal Research

Sum	N	Mean	Median
5:33:00	5	1:06:36	1:00:00

service units: Pre-Detention Communicate w/client in-person

Sum	N	Mean	Median
14:31:00	301	0:26:49	0:20:00

service units: Pre-Detention Communicate w/client

Sum	N	Mean	Median
16:21:00	103	0:23:30	0:19:00

service units: Pre-Detention Communicate w/child welfare worker

Sum	N	Mean	Median
17:17:00	79	0:13:08	0:10:00

service units: Pre-Detention Communicate w/other counsel

Sum	N	Mean	Median
1:34:00	101	0:15:11	0:10:00

service units: Pre-Detention Communicate w/others

Sum	N	Mean	Median
11:32:00	49	0:14:07	0:10:00

service units: Pre-Detention Other Case Management Activity

Sum	N	Mean	Median
10:21:00	40	0:15:31	0:07:30

service units: Pre-Detention Motions and Other Hearings

Sum	N	Mean	Median
20:31:00	36	0:34:12	0:23:30

Basic Standard

Percent	100.00%
Time	0:19:01

Percent	76.00%
Time	0:11:00

Percent	10.00%
Time	0:22:00

Percent	92.08%
Time	0:42:00

Percent	38.25%
Time	0:17:00

Percent	72.92%
Time	0:22:00

Percent	92.50%
Time	0:19:05

Percent	62.50%
Time	0:28:09

Percent	91.25%
Time	0:19:05

Percent	2.10%
Time	0:22:00

Optimal Standard

Percent	100.00%
Time	0:35:13

Percent	81.00%
Time	0:17:51

Percent	14.58%
Time	0:51:00

Percent	93.75%
Time	0:58:01

Percent	39.33%
Time	0:32:51

Percent	82.50%
Time	0:41:34

Percent	100.00%
Time	0:30:18

Percent	79.17%
Time	0:49:32

Percent	92.92%
Time	0:27:00

Percent	3.10%
Time	0:26:00



Workload Study Data: Parent Cases

service units: Detention Trial Preparation

	Sum	N	Mean	Median
Time	21:34:00	42	0:30:49	0:30:00

service units: At Detention Hearing: Witnesses Testify

	Sum	N	Mean	Median
Time	7:58:00	50	0:38:22	0:20:00

service units: At Detention Hearing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	5:40:00	601	0:19:44	0:15:00

service units: Post-Detention: Prepare and file notice of appeal

service units: Post-Detention: Prepare/File/Respond/Argue Writ

service units: Pre-Juris/Dispo Discovery/Doc Review

	Sum	N	Mean	Median
Time	16:56:00	1,106	0:26:58	0:15:00

service units: Pre-Juris/Dispo Notes to Filer/Draft Orders

	Sum	N	Mean	Median
Time	0:26:00	296	0:14:41	0:10:00

service units: Pre-Juris/Dispo Legal Research

	Sum	N	Mean	Median
Time	3:06:00	73	1:01:44	0:36:00

service units: Pre-Juris/Dispo Communicate w/client in-person

	Sum	N	Mean	Median
Time	22:27:00	627	0:27:25	0:20:00

service units: Pre-Juris/Dispo Communicate w/client

	Sum	N	Mean	Median
Time	15:02:00	496	0:22:08	0:15:00

Basic Standard

Percent	26.50%
Time	3:01:00

Percent	11.25%
Time	1:58:00

Percent	88.75%
Time	0:37:00

Percent	0.00%
Time	0:00:00

Percent	1.00%
Time	6:30:00

Percent	90.49%
Time	0:40:10

Percent	71.35%
Time	0:10:00

Percent	30.01%
Time	0:30:00

Percent	81.99%
Time	0:46:00

Percent	59.12%
Time	0:20:00

Optimal Standard

Percent	33.55%
Time	5:33:00

Percent	20.00%
Time	2:01:00

Percent	80.00%
Time	0:42:00

Percent	0.00%
Time	0:00:00

Percent	3.00%
Time	6:30:00

Percent	90.49%
Time	1:15:00

Percent	88.22%
Time	0:30:02

Percent	35.11%
Time	0:54:06

Percent	88.22%
Time	1:22:00

Percent	90.49%
Time	0:36:14

Workload Study Data: Parent Cases

service units: Pre-Juris/Dispo Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	6:46:00	329	0:14:22	0:10:00

service units: Pre-Juris/Dispo Communicate w/other counsel

	Sum	N	Mean	Median
Time	9:50:00	432	0:18:02	0:12:00

service units: Pre-Juris/Dispo Communicate w/others

	Sum	N	Mean	Median
Time	6:42:00	234	0:20:11	0:12:00

service units: Pre-Juris/Dispo Other Case Management Activity

	Sum	N	Mean	Median
Time	14:30:00	169	0:22:11	0:10:00

service units: Pre-Juris/Dispo Motions and Other Hearings

	Sum	N	Mean	Median
Time	4:11:00	243	0:42:31	0:20:00

service units: Juris/Dispo Trial Preparation

	Sum	N	Mean	Median
Time	20:52:00	218	1:25:01	0:35:00

service units: At Juris/Dispo Hearing: Witnesses Testify

	Sum	N	Mean	Median
Time	13:37:00	167	1:22:30	0:45:00

service units: At Juris/Dispo Hearing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	10:27:00	1,389	0:18:05	0:15:00

service units: Post Juris/Dispo: Prepare and File Notice of Appeal

	Sum	N	Mean	Median
Time	2:25:00	2	1:12:30	1:12:30

service units: Post Juris/Dispo: Prepare/Files/Respond/Argue Writ

	Sum	N	Mean	Median
Time	3:15:00	2	1:37:30	1:37:30

Basic Standard

Percent	68.74%
Time	0:20:00

Percent	84.48%
Time	0:17:00

Percent	60.02%
Time	0:55:54

Percent	38.58%
Time	0:39:10

Percent	52.55%
Time	1:23:01

Percent	34.31%
Time	4:06:14

juris only dispo only j/d comb

Percent	8.95%	11.72%	9.57%
Time	3:28:02	3:45:00	4:01:00

juris only dispo only j/d comb

Percent	27.07%	24.63%	36.07%
Time	0:18:01	0:21:14	0:31:14

Percent	6.12%
Time	0:13:01

Percent	3.11%
Time	12:30:00

Optimal Standard

Percent	84.82%
Time	0:41:00

Percent	87.09%
Time	0:34:06

Percent	78.71%
Time	0:56:00

Percent	54.25%
Time	1:03:01

Percent	62.17%
Time	2:00:00

Percent	31.71%
Time	8:41:00

juris only dispo only j/d comb

Percent	9.74%	12.40%	8.10%
Time	3:58:02	4:18:01	5:00:00

juris only dispo only j/d comb

Percent	26.73%	23.61%	42.75%
Time	0:24:06	0:30:10	0:40:00

Percent	6.80%
Time	0:14:06

Percent	5.04%
Time	20:37:00

Workload Study Data: Parent Cases

service units: Pre-Review Discovery/Doc Review

	Sum	N	Mean	Median
Time	21:51:00	1,760	0:17:56	0:11:30

service units: Pre-Review Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	11:15:00	554	0:11:37	0:10:00

service units: Pre-Review Legal Research

	Sum	N	Mean	Median
Time	10:13:00	49	0:41:54	0:30:00

service units: Pre-Review Communicate w/client in-person

	Sum	N	Mean	Median
Time	6:40:00	756	0:21:29	0:15:00

service units: Pre-Review Communicate w/client

	Sum	N	Mean	Median
Time	13:46:00	894	0:20:15	0:15:00

service units: Pre-Review Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	16:58:00	524	0:15:41	0:10:00

service units: Pre-Review Communicate w/other counsel

	Sum	N	Mean	Median
Time	20:14:00	627	0:15:43	0:10:00

service units: Pre-Review Communicate w/others

	Sum	N	Mean	Median
Time	21:32:00	424	0:20:02	0:12:00

service units: Pre-Review Other Case Management Activity

	Sum	N	Mean	Median
Time	7:18:00	202	0:16:26	0:08:00

service units: Pre-Review Motions and Other Hearings

	Sum	N	Mean	Median
Time	21:51:00	448	0:35:04	0:18:00

Basic Standard

Percent	48.99%
Time	0:28:14

Percent	36.76%
Time	0:16:00

Percent	14.10%
Time	0:41:13

Percent	40.21%
Time	0:45:00

Percent	45.55%
Time	0:40:15

Percent	42.91%
Time	0:46:00

Percent	47.28%
Time	0:41:13

Percent	34.93%
Time	0:56:09

Percent	29.84%
Time	0:28:51

Percent	25.78%
Time	1:41:00

Optimal Standard

Percent	44.08%
Time	0:48:01

Percent	33.86%
Time	0:45:45

Percent	18.30%
Time	1:03:37

Percent	41.38%
Time	1:23:00

Percent	43.81%
Time	1:06:01

Percent	43.63%
Time	1:04:06

Percent	43.40%
Time	1:23:15

Percent	42.06%
Time	1:49:01

Percent	30.23%
Time	0:57:37

Percent	29.09%
Time	2:03:01

Workload Study Data: Parent Cases

service units: Review Trial Preparation

	Sum	N	Mean	Median
Time	15:38:00	204	1:01:04	0:30:00

service units: Review Hearing Ongoing: Witnesses Testify

	Sum	N	Mean	Median
Time	18:47:00	209	1:00:31	0:35:00

service units: Review Hearing Ongoing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	22:13:00	2,008	0:15:43	0:10:00

service units: Review Hearing Termination: Witnesses Testify

	Sum	N	Mean	Median
Time	19:35:00	14	1:23:56	1:25:00

service units: Review Hearing Termination: Witnesses do not Testify

	Sum	N	Mean	Median
Time	1:01:00	71	0:21:08	0:15:00

service units: Post Review: Prepare and File Notice of Appeal

	Sum	N	Mean	Median
Time	5:16:00	8	0:39:30	0:27:30

service units: Post Review: Prepare/File/Respond/Argue Writ

	Sum	N	Mean	Median
Time	0:28:00	6	4:04:40	0:52:00

service units: Pre-26 Hearing Discovery/Doc Review

	Sum	N	Mean	Median
Time	17:53:00	381	0:29:16	0:15:00

service units: Pre-26 Hearing Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	22:01:00	105	0:12:35	0:10:00

service units: Pre-26 Hearing Legal Research

	Sum	N	Mean	Median
Time	19:05:00	36	1:11:48	0:28:00

Basic Standard

	Percent	Time
	16.43%	2:18:01

	Percent	Time
	5.85%	1:43:01

	Percent	Time
	30.41%	0:21:09

	Percent	Time
	5.39%	3:06:00

	Percent	Time
	2.66%	0:25:10

	Percent	Time
	2.68%	0:17:00

	Percent	Time
	1.64%	39:72%

	Percent	Time
	30.10%	1:20:00

	Percent	Time
	22.83%	0:29:09

	Percent	Time
	17.15%	0:54:09

Optimal Standard

	Percent	Time
	16.00%	3:57:00

	Percent	Time
	7.27%	2:06:00

	Percent	Time
	25.89%	0:24:18

	Percent	Time
	5.35%	3:58:01

	Percent	Time
	1.89%	0:29:06

	Percent	Time
	3.69%	0:17:00

	Percent	Time
	1.78%	16:20:00

	Percent	Time
	30.10%	1:49:31

	Percent	Time
	22.83%	0:35:00

	Percent	Time
	17.73%	1:12:15

Workload Study Data: Parent Cases

service units: Pre-.26 Hearing Communicate w/client in-person

	Sum	N	Mean	Median
Time	22:34:00	111	0:25:10	0:15:00

service units: Pre-.26 Hearing Communicate w/client

	Sum	N	Mean	Median
Time	4:31:00	190	0:24:10	0:15:00

service units: Pre-.26 Hearing Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	22:50:00	88	0:15:34	0:10:00

service units: Pre-.26 Hearing Communicate w/other counsel

	Sum	N	Mean	Median
Time	15:11:00	120	0:19:35	0:15:00

service units: Pre-.26 Hearing Communicate w/others

	Sum	N	Mean	Median
Time	20:25:00	122	0:21:51	0:15:00

service units: Pre-.26 Hearing Other Case Management Activity

	Sum	N	Mean	Median
Time	16:20:00	56	0:17:30	0:10:00

service units: Pre-.26 Hearing Motions and Other Hearings

	Sum	N	Mean	Median
Time	14:19:00	106	1:02:27	0:30:00

service units: 39.1B Writ: Prepare/File Notice of Intent to File

	Sum	N	Mean	Median
Time	1:45:00	3	0:35:00	0:15:00

service units: 39.1B Writ: Request Prep and/or Augmentation of Record

	Sum	N	Mean	Median
Time	4:30:00	4	1:07:30	1:00:00

service units: 39.1B Writ: Review Record

	Sum	N	Mean	Median
Time	8:45:00	16	5:02:49	1:52:00

Basic Standard

Percent	22.36%
Time	0:43:05

Percent	24.65%
Time	0:30:37

Percent	21.26%
Time	0:26:34

Percent	28.36%
Time	0:26:01

Percent	21.67%
Time	0:43:05

Percent	18.70%
Time	0:41:00

Percent	20.30%
Time	3:50:00

Percent	10.04%
Time	0:22:00

Percent	8.08%
Time	0:32:13

Percent	13.80%
Time	6:05:00

Optimal Standard

Percent	26.18%
Time	1:02:18

Percent	27.99%
Time	0:42:00

Percent	26.09%
Time	0:42:15

Percent	30.10%
Time	0:45:00

Percent	24.33%
Time	1:20:01

Percent	18.70%
Time	1:11:00

Percent	22.27%
Time	5:15:00

Percent	11.34%
Time	0:26:00

Percent	8.86%
Time	0:41:00

Percent	13.62%
Time	7:30:00



Workload Study Data: Parent Cases

service units: 39.1B Writ: Prep/File Original or Responsive Pleadings

	Sum	N	Mean	Median
Time	3:10:00	3	9:03:20	4:00:00

service units: 39.1B Writ: Oral Argument

service units: 39.1B Writ: Draft Settlement/Order Languages

	Sum	N	Mean	Median
Time	0:15:00	1	0:15:00	0:15:00

service units: 26 Hearing Trail Preparation

	Sum	N	Mean	Median
Time	17:42:00	45	0:55:36	0:40:00

service units: At 26 Hearing: Witnesses Testify

	Sum	N	Mean	Median
Time	1:31:00	77	1:15:59	1:00:00

service units: At 26 Hearing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	2:24:00	464	0:15:50	0:10:00

service units: Post .26: Prepare/File Notice of Appeal

	Sum	N	Mean	Median
Time	14:17:00	21	0:40:49	0:30:00

service units: Post .26: Prepare/File/Respond/Argue Writ

	Sum	N	Mean	Median
Time	7:50:00	35	5:01:26	2:00:00

service units: Post-Perm Plan Discovery/Doc Review

	Sum	N	Mean	Median
Time	1:04:00	780	0:14:51	0:10:00

service units: Post-Perm Plan Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	7:18:00	201	0:09:21	0:06:00

Basic Standard

Percent	12.80%
Time	10:50:00

Percent	0.91%
Time	1:37:00

Percent	0.23%
Time	0:45:00

Percent	8.03%
Time	1:25:00

	no adopt	adopt
Percent	2.38%	0.00%
Time	1:05:00	0:00:00

Percent	5.14%
Time	0:10:00

Percent	0.00%
Time	0:00:00

Percent	0.00%
Time	0:00:00

Percent	23.40%
Time	0:22:00

Percent	20.48%
Time	0:11:00

Optimal Standard

Percent	12.87%
Time	13:50:00

Percent	1.26%
Time	1:57:00

Percent	0.35%
Time	0:45:00

Percent	7.02%
Time	1:40:00

	no adopt	adopt
Percent	0.23%	0.00%
Time	1:07:00	0:00:00

Percent	0.52%
Time	0:33:08

Percent	0.00%
Time	0:00:00

Percent	0.00%
Time	0:00:00

Percent	23.40%
Time	0:37:00

Percent	21.35%
Time	0:23:01

Workload Study Data: Parent Cases

service units: Post-Perm Plan Legal Research

	Sum	N	Mean	Median
Time	7:50:00	17	0:27:39	0:28:00

service units: Post-Perm Plan Communicate w/client in-person

	Sum	N	Mean	Median
Time	12:08:00	192	0:26:18	0:15:30

service units: Post-Perm Plan Communicate w/client

	Sum	N	Mean	Median
Time	12:10:00	342	0:18:59	0:15:00

service units: Post-Perm Plan Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	19:44:00	160	0:16:24	0:10:00

service units: Post-Perm Plan Communicate w/other counsel

	Sum	N	Mean	Median
Time	22:58:00	162	0:17:24	0:10:00

service units: Post-Perm Plan Communicate w/others

	Sum	N	Mean	Median
Time	6:32:00	162	0:20:12	0:12:00

service units: Post-Perm Plan Other Case Management Activity

	Sum	N	Mean	Median
Time	19:43:00	82	0:14:26	0:05:00

service units: Post-Perm Plan Motions and Other Hearings

	Sum	N	Mean	Median
Time	0:41:00	145	0:40:00	0:20:00

service units: Post-Perm Plan Trial Preparation

	Sum	N	Mean	Median
Time	15:31:00	29	0:32:06	0:29:00

service units: Post-Perm Plan Hearing: Witnesses Testify

	Sum	N	Mean	Median
Time	17:21:00	79	0:31:24	0:15:00

Basic Standard

Percent	3.28%
Time	0:28:01

Percent	5.65%
Time	0:30:00

Percent	12.29%
Time	0:15:00

Percent	14.04%
Time	0:15:00

Percent	20.48%
Time	0:12:00

Percent	5.27%
Time	0:43:01

Percent	10.53%
Time	0:43:01

Percent	4.68%
Time	2:37:00

Percent	0.73%
Time	1:45:00

No adopt	adopt	
Percent	0.39%	0.00%
Time	1:45:00	0:00:00

Optimal Standard

Percent	4.68%
Time	0:42:00

Percent	16.38%
Time	0:40:00

Percent	12.58%
Time	0:25:00

Percent	17.55%
Time	0:25:00

Percent	21.06%
Time	0:17:00

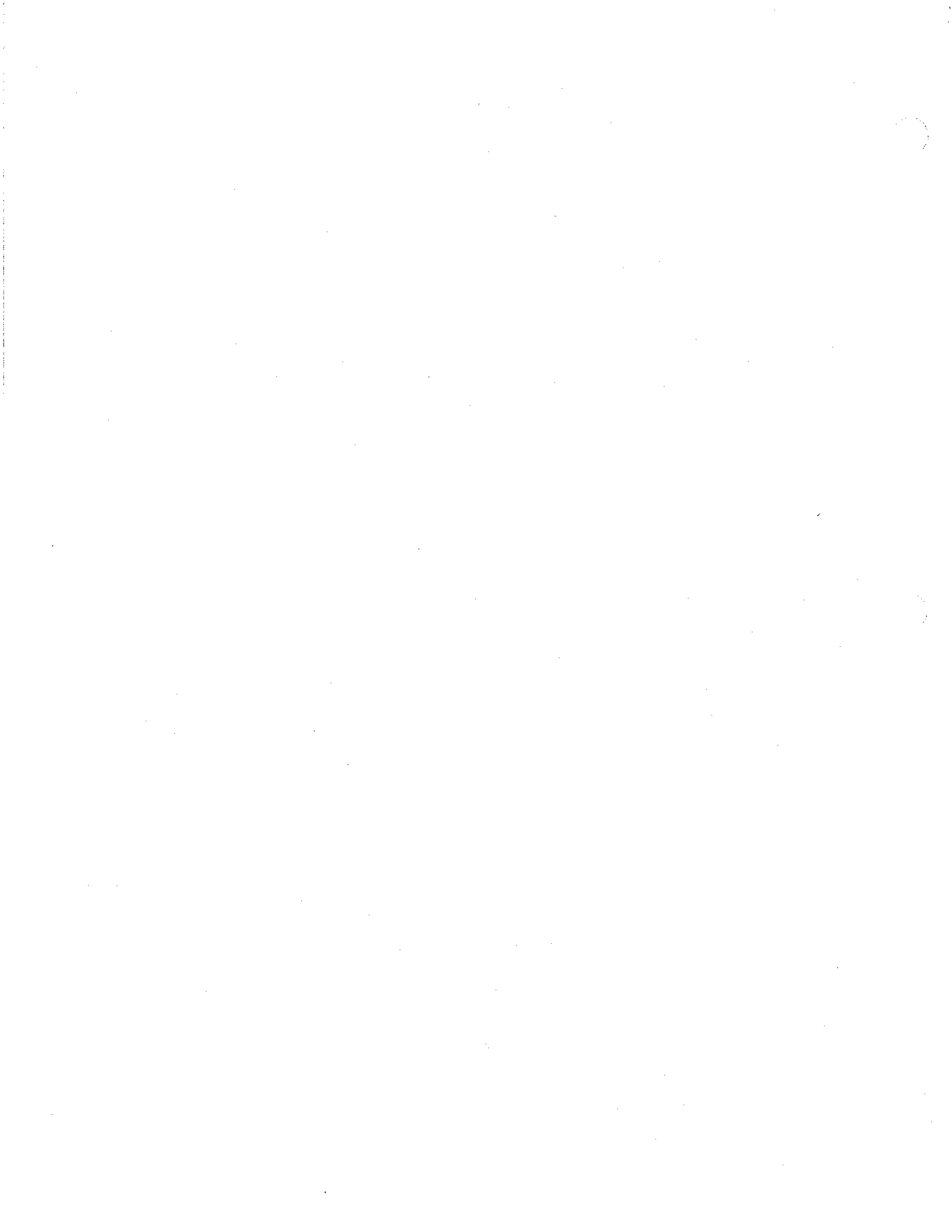
Percent	10.53%
Time	0:57:00

Percent	11.70%
Time	1:12:00

Percent	4.68%
Time	3:07:00

Percent	0.73%
Time	2:37:00

No adopt	adopt	
Percent	0.37%	0.00%
Time	1:52:00	0:00:00



Workload Study Data: Parent Cases

service units: Post-Perm Plan Hearing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	21:33:00	959	0:13:22	0:10:00

service units: Post Post-Perm Plan: Prepare and File Notice of Appeal

	Sum	N	Mean	Median
Time	11:16:00	12	0:56:20	0:37:30

service units: Post Post-Perm Plan: Prepare/File/Respond/Argue Writ

	Sum	N	Mean	Median
Time	12:15:00	7	1:45:00	0:45:00

Basic Standard

	No adopt	adopt
Percent	14.68%	0.00%
Time	0:23:01	0:00:00

	Percent	Time
	0.66%	0:13:01

	Percent	Time
	0.12%	5:00:00

Optimal Standard

	No adopt	adopt
Percent	12.05%	0.00%
Time	0:27:00	0:00:00

	Percent	Time
	0.70%	0:13:01

	Percent	Time
	0.23%	20:00:00

Workload Study Data: Child Cases

service units: Pre-Detention Discovery/Doc Review

	Sum	N	Mean	Median
Time	7:57:00	357	0:17:28	0:15:00

service units: Pre-Detention Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	12:56:00	57	0:13:37	0:10:00

service units: Pre-Detention Legal Research

	Sum	N	Mean	Median
Time	3:25:00	5	0:41:00	0:15:00

service units: Pre-Detention Communicate w/cilent in-person

	Sum	N	Mean	Median
Time	23:57:00	164	0:26:19	0:20:00

service units: Pre-Detention Communicate w/cilent

	Sum	N	Mean	Median
Time	20:59:00	50	0:25:11	0:20:00

service units: Pre-Detention Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	23:18:00	86	0:16:15	0:12:00

service units: Pre-Detention Communicate w/other counsel

	Sum	N	Mean	Median
Time	19:33:00	90	0:13:02	0:10:00

service units: Pre-Detention Communicate w/other

	Sum	N	Mean	Median
Time	19:47:00	74	0:16:02	0:15:00

service units: Pre-Detention Other Case Management Activity

	Sum	N	Mean	Median
Time	21:54:00	31	0:42:23	0:10:00

service units: Pre-Detention Motions and Other Hearings

	Sum	N	Mean	Median
Time	18:41:00	46	0:24:22	0:19:00

Basic Standard

Percent	100.00%
Time	0:19:10

Percent	51.50%
Time	0:09:25

Percent	7.31%
Time	0:44:15

Percent	82.50%
Time	0:40:05

Percent	23.50%
Time	0:09:05

Percent	75.00%
Time	0:28:15

Percent	84.13%
Time	0:34:25

Percent	65.63%
Time	0:45:15

Percent	100.00%
Time	0:24:15

Percent	1.88%
Time	0:21:25

Optimal Standard

Percent	100.00%
Time	0:32:00

Percent	59.00%
Time	0:15:00

Percent	13.88%
Time	0:51:14

Percent	89.38%
Time	0:47:00

Percent	28.13%
Time	0:12:10

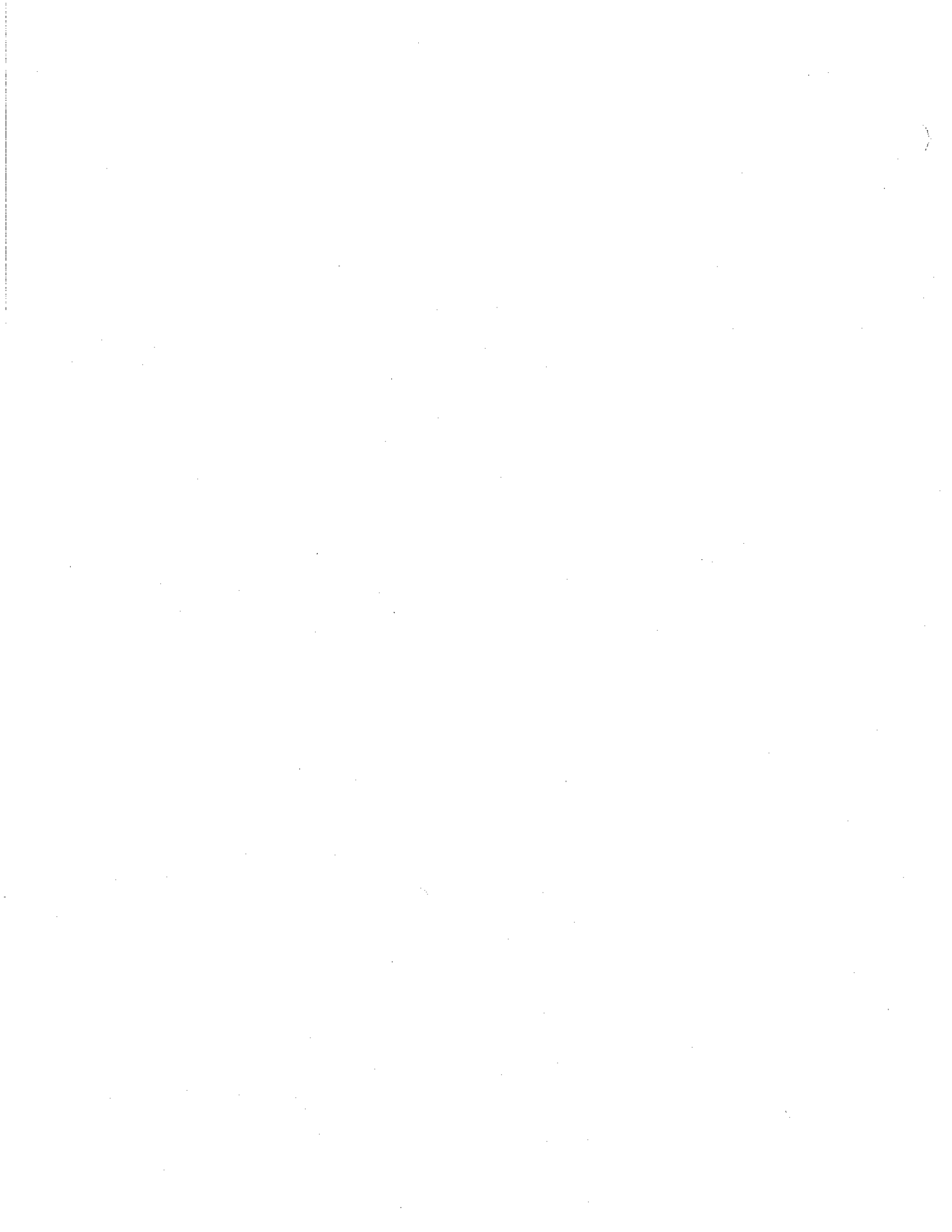
Percent	87.50%
Time	0:27:00

Percent	90.38%
Time	0:31:00

Percent	83.13%
Time	0:55:00

Percent	100.00%
Time	0:24:06

Percent	3.13%
Time	0:26:00



Workload Study Data: Child Cases

service units: Detention Trial Preparation

	Sum	N	Mean	Median
Time	21:41:00	40	0:32:31	0:25:00

service units: At Detention Hearing: Witnesses Testify

	Sum	N	Mean	Median
Time	22:19:00	40	0:33:29	0:20:00

service units: At Detention Hearing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	14:27:00	545	0:17:27	0:15:00

service units: Post-Detention: Prepare and file notice of appeal

service units: Post Detention: Prepare/File/Respond/Argue Writ

service units: Pre-Juris/Dispo Discovery/Doc Review

	Sum	N	Mean	Median
Time	16:51:00	977	0:23:09	0:15:00

service units: Pre-Juris/Dispo Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	21:45:00	281	0:14:54	0:10:00

service units: Pre-Juris/Dispo Legal Research

	Sum	N	Mean	Median
Time	10:43:00	42	0:49:36	0:30:00

service units: Pre-Juris/Dispo Communicate w/client in-person

	Sum	N	Mean	Median
Time	7:56:00	325	0:32:29	0:23:00

service units: Pre-Juris/Dispo Communicate w/client

	Sum	N	Mean	Median
Time	19:30:00	199	0:27:35	0:19:00

Basic Standard

Percent	29.00%
Time	1:15:15

Percent	10.25%
Time	1:45:05

Percent	89.75%
Time	0:35:00

Percent	0.00%
Time	0:00:00

Percent	0.50%
Time	3:30:00

Percent	90.49%
Time	0:50:35

Percent	82.67%
Time	0:33:35

Percent	24.92%
Time	0:30:05

Percent	81.77%
Time	0:45:35

Percent	21.18%
Time	0:11:25

Optimal Standard

Percent	35.25%
Time	1:22:00

Percent	17.75%
Time	1:46:14

Percent	82.25%
Time	0:40:00

Percent	0.00%
Time	0:00:00

Percent	0.63%
Time	3:45:00

Percent	90.49%
Time	1:16:14

Percent	88.22%
Time	0:23:00

Percent	30.58%
Time	0:54:06

Percent	89.47%
Time	1:01:00

Percent	30.01%
Time	0:22:00

Workload Study Data: Child Cases

service units: Pre-Juris/Dispo Communicate w/child welfare worker

Sum	N	Mean	Median
8:18:00	318	0:15:09	0:10:00

service units: Pre-Juris/Dispo Communicate w/other counsel

Sum	N	Mean	Median
11:05:00	401	0:19:37	0:15:00

service units: Pre-Juris/Dispo Communicate w/others

Sum	N	Mean	Median
19:26:00	354	0:23:38	0:15:00

service units: Pre-Juris/Dispo Other Case Management Activity

Sum	N	Mean	Median
3:21:00	155	0:19:53	0:11:00

service units: Pre-Juris/Dispo Motions and Other Hearings

Sum	N	Mean	Median
21:36:00	172	0:41:01	0:20:00

service units: Juris/Dispo Trial Preparation

Sum	N	Mean	Median
22:26:00	189	1:00:27	0:35:00

service units: At Juris/Dispo Hearing: Witnesses Testify

Sum	N	Mean	Median
11:51:00	159	1:25:59	0:45:00

service units: At Juris/Dispo Hearing: Witnesses do not Testify

Sum	N	Mean	Median
9:31:00	1,201	0:17:16	0:13:00

service units: Post Juris/Dispo: Prepare and File Notice of Appeal

Sum	N	Mean	Median
0:18:00	2	0:09:00	0:09:00

service units: Post Juris/Dispo: Prepare/File/Respond/Argue Writ

Sum	N	Mean	Median
4:00:00	1	4:00:00	4:00:00

Basic Standard

Percent	89.35%
Time	0:34:35

Percent	84.82%
Time	0:13:05

Percent	73.61%
Time	0:41:25

Percent	50.28%
Time	0:29:00

Percent	52.55%
Time	1:20:00

Percent	33.18%
Time	2:20:25

juris only dispo only j/d comb

Percent	8.95%	10.87%	8.27%
Time	2:15:00	3:25:35	4:01:25

juris only dispo only j/d comb

Percent	27.07%	25.48%	32.96%
Time	0:15:15	0:25:35	0:45:35

Percent	1.93%
Time	0:15:15

Percent	1.08%
Time	7:22:05

Optimal Standard

Percent	90.49%
Time	0:35:10

Percent	87.09%
Time	0:34:10

Percent	86.07%
Time	1:02:00

Percent	55.95%
Time	0:46:00

Percent	62.17%
Time	1:54:06

Percent	29.45%
Time	4:33:01

juris only dispo only j/d comb

Percent	8.66%	12.00%	9.10%
Time	4:03:01	4:26:00	5:45:00

juris only dispo only j/d comb

Percent	35.43%	29.45%	37.37%
Time	0:30:00	0:31:14	0:38:01

Percent	2.54%
Time	0:14:06

Percent	2.92%
Time	20:22:00



Workload Study Data: Child Cases

service units: Pre-Review Discovery/Doc Review

	Sum	N	Mean	Median
Time	21:13:00	1,901	0:18:06	0:12:00

service units: Pre-Review Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	23:41:00	545	0:13:11	0:10:00

service units: Pre-Review Legal Research

	Sum	N	Mean	Median
Time	5:11:00	73	0:43:43	0:30:00

service units: Pre-Review Communicate w/client in-person

	Sum	N	Mean	Median
Time	4:59:00	535	0:27:28	0:20:00

service units: Pre-Review Communicate w/client

	Sum	N	Mean	Median
Time	10:16:00	429	0:21:35	0:15:00

service units: Pre-Review Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	1:18:00	766	0:15:08	0:10:00

service units: Pre-Review Communicate w/other counsel

	Sum	N	Mean	Median
Time	1:35:00	551	0:15:51	0:10:00

service units: Pre-Review Communicate w/others

	Sum	N	Mean	Median
Time	12:06:00	895	0:23:20	0:15:00

service units: Pre-Review Other Case Management Activity

	Sum	N	Mean	Median
Time	13:37:00	328	0:20:03	0:11:30

Basic Standard

Percent	48.99%
Time	0:55:00

Percent	38.57%
Time	0:33:01

Percent	12.33%
Time	0:32:00

Percent	42.15%
Time	0:56:15

Percent	30.03%
Time	0:43:05

Percent	46.03%
Time	0:57:00

Percent	47.09%
Time	0:53:45

Percent	43.04%
Time	1:58:05

Percent	32.81%
Time	0:50:15

Optimal Standard

Percent	44.08%
Time	1:49:18

Percent	34.15%
Time	1:12:00

Percent	17.68%
Time	1:00:01

Percent	42.37%
Time	2:10:00

Percent	36.54%
Time	1:05:00

Percent	43.67%
Time	1:33:02

Percent	43.67%
Time	1:21:00

Percent	42.26%
Time	3:58:02

Percent	34.24%
Time	1:30:10

Workload Study Data: Child Cases

service units: Pre-Review Motions and Other Hearings

	Sum	N	Mean	Median
Time	15:42:00	371	0:33:35	0:16:00

service units: Review Trial Preparation

	Sum	N	Mean	Median
Time	17:32:00	158	0:52:14	0:32:30

service units: Review Hearing Ongoing: Witnesses Testify

	Sum	N	Mean	Median
Time	18:20:00	163	0:59:45	0:25:00

service units: Review Hearing Ongoing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	16:03:00	1,870	0:14:23	0:10:00

service units: Review Hearing Termination: Witnesses Testify

	Sum	N	Mean	Median
Time	9:40:00	5	1:56:00	1:05:00

service units: Review Hearing Termination: Witnesses do not Testify

	Sum	N	Mean	Median
Time	14:01:00	70	0:12:01	0:10:00

service units: Post Review: Prepare and File Notice of Appeal

	Sum	N	Mean	Median
Time	19:35:00	4	4:53:45	0:40:00

service units: Post Review: Prepare/File/Respond/Argue Writ

	Sum	N	Mean	Median
Time	0:55:00	2	0:27:30	0:27:30

service units: Pre-26 Hearing Discovery/Doc Review

	Sum	N	Mean	Median
Time	18:34:00	376	0:22:07	0:15:00

service units: Pre-26 Hearing Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	1:34:00	118	0:13:00	0:10:00

Basic Standard

Percent	31.50%
Time	1:30:00

Percent	17.47%
Time	2:07:05

Percent	5.94%
Time	1:37:05

Percent	29.99%
Time	0:21:05

Percent	6.91%
Time	3:07:05

Percent	2.66%
Time	0:27:05

Percent	1.70%
Time	0:26:47

Percent	1.52%
Time	9:02:05

Percent	30.10%
Time	1:20:00

Percent	22.83%
Time	0:42:00

Optimal Standard

Percent	37.14%
Time	2:06:00

Percent	16.61%
Time	4:02:00

Percent	8.02%
Time	1:41:00

Percent	25.11%
Time	0:25:38

Percent	5.16%
Time	3:15:00

Percent	1.99%
Time	0:33:02

Percent	2.17%
Time	0:24:27

Percent	2.39%
Time	12:40:00

Percent	30.10%
Time	2:23:37

Percent	22.83%
Time	0:37:01

Workload Study Data: Child Cases

service units: Pre-.26 Hearing Legal Research

	Sum	N	Mean	Median
Time	6:36:00	26	1:10:37	0:50:00

service units: Pre-.26 Hearing Communicate w/client in-person

	Sum	N	Mean	Median
Time	6:52:00	54	0:34:18	0:15:00

service units: Pre-.26 Hearing Communicate w/client

	Sum	N	Mean	Median
Time	0:07:00	58	0:24:57	0:17:30

service units: Pre-.26 Hearing Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	9:37:00	129	0:15:38	0:12:00

service units: Pre-.26 Hearing Communicate w/other counsel

	Sum	N	Mean	Median
Time	1:32:00	147	0:20:13	0:12:00

service units: Pre-.26 Hearing Communicate w/others

	Sum	N	Mean	Median
Time	4:20:00	187	0:24:30	0:15:00

service units: Pre-.26 Hearing Other Case Management Activity

	Sum	N	Mean	Median
Time	22:34:00	72	0:18:48	0:14:30

service units: Pre-.26 Hearing Motions and Other Hearings

	Sum	N	Mean	Median
Time	6:42:00	73	0:44:58	0:16:00

service units: 39.1B Writ: Prepare/File Notice of Intent to File

	Sum	N	Mean	Median
Time	1:10:00	1	1:10:00	1:10:00

Basic Standard

Percent	15.49%
Time	0:46:25

Percent	26.16%
Time	0:42:05

Percent	20.90%
Time	0:29:15

Percent	27.59%
Time	0:39:15

Percent	28.36%
Time	0:39:15

Percent	28.85%
Time	0:46:25

Percent	26.97%
Time	0:39:15

Percent	17.06%
Time	1:27:00

Percent	4.78%
Time	0:50:00

Optimal Standard

Percent	15.74%
Time	1:48:55

Percent	29.17%
Time	1:28:55

Percent	22.40%
Time	0:33:55

Percent	30.10%
Time	0:55:13

Percent	30.10%
Time	1:10:00

Percent	28.85%
Time	1:53:00

Percent	26.47%
Time	2:48:01

Percent	18.45%
Time	3:15:00

Percent	4.78%
Time	0:45:00

Workload Study Data: Child Cases

service units: 39.1B Writ: Request Prep and/or Augmentation of Record

	Sum	N	Mean	Median
Time	0:15:00	1	0:15:00	0:15:00

service units: 39.1B Writ: Review Record

	Sum	N	Mean	Median
Time	2:55:00	5	0:35:00	0:32:00

service units: 39.1B Writ: Prep/File Original or Responsive Pleadings

	Sum	N	Mean	Median
Time	3:20:00	3	1:06:40	0:50:00

service units: 39.1B Writ: Oral Argument

service units: 39.1B Writ: Draft settlement/order language

service units: .26 Hearing: Trail Preparation

	Sum	N	Mean	Median
Time	5:51:00	40	0:44:46	0:35:00

service units: At .26 Hearing: Witnesses Testify

	Sum	N	Mean	Median
Time	4:21:00	50	1:31:37	0:46:30

service units: At .26 Hearing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	3:09:00	417	0:17:43	0:10:00

service units: Post .26: Prepare/File Notice of Appeal

	Sum	N	Mean	Median
Time	6:18:00	5	1:15:36	0:40:00

service units: Post .26: Prepare/File/Respond/Argue Writ

	Sum	N	Mean	Median
Time	1:35:00	11	4:30:27	4:00:00

Basic Standard

Percent	5.19%
Time	0:35:00

Percent	9.75%
Time	2:20:00

Percent	4.98%
Time	4:20:00

Percent	0.58%
Time	1:50:00

Percent	0.23%
Time	1:20:00

Percent	8.03%
Time	0:20:00

no adopt	adopt
Percent	2.38%
Time	0:20:00
no adopt	adopt
Percent	4.46%
Time	0:20:00

no adopt	adopt
Percent	5.14%
Time	0:20:00
no adopt	adopt
Percent	3.06%
Time	0:20:00

Percent	0.15%
Time	0:20:00

Percent	0.60%
Time	0:20:00

Optimal Standard

Percent	5.13%
Time	1:15:00

Percent	9.75%
Time	5:20:00

Percent	4.98%
Time	14:00:00

Percent	0.57%
Time	3:12:00

Percent	0.23%
Time	4:17%

Percent	7.02%
Time	2:55:00

no adopt	adopt
Percent	0.00%
Time	0:00:00
no adopt	adopt
Percent	3.01%
Time	0:28:05

no adopt	adopt
Percent	5.22%
Time	0:27:00
no adopt	adopt
Percent	4.52%
Time	6:30:00

Percent	0.25%
Time	0:07:00

Percent	0.60%
Time	9:50:00

Workload Study Data: Child Cases

service units: Post-Perm Plan Discovery/Doc Review

	Sum	N	Mean	Median
Time	14:33:00	1,543	0:15:30	0:10:00

service units: Post-Perm Plan Notes to File/Draft Orders

	Sum	N	Mean	Median
Time	7:03:00	535	0:11:33	0:10:00

service units: Post-Perm Plan Legal Research

	Sum	N	Mean	Median
Time	16:41:00	52	0:46:57	0:30:00

service units: Post-Perm Plan Communicate w/client in-person

	Sum	N	Mean	Median
Time	14:31:00	327	0:33:29	0:20:00

service units: Post-Perm Plan Communicate w/client

	Sum	N	Mean	Median
Time	1:17:00	436	0:20:00	0:15:00

service units: Post-Perm Plan Communicate w/child welfare worker

	Sum	N	Mean	Median
Time	20:44:00	623	0:15:52	0:10:00

service units: Post-Perm Plan Communicate w/other counsel

	Sum	N	Mean	Median
Time	13:21:00	336	0:19:32	0:12:00

service units: Post-Perm Plan Communicate w/others

	Sum	N	Mean	Median
Time	1:05:00	894	0:24:14	0:15:00

service units: Post-Perm Plan Other Case Management Activity

	Sum	N	Mean	Median
Time	15:48:00	334	0:20:05	0:10:00

service units: Post-Perm Plan Motions and Other Hearings

	Sum	N	Mean	Median
Time	4:21:00	245	0:42:12	0:20:00

Basic Standard

Percent	23.40%
Time	0:16:06

Percent	13.90%
Time	0:08:16

Percent	1.77%
Time	0:43:53

Percent	21.17%
Time	0:50:00

Percent	13.33%
Time	0:57:05

Percent	15.95%
Time	1:00:00

Percent	7.59%
Time	0:22:05

Percent	22.34%
Time	1:10:00

Percent	18.72%
Time	0:42:05

Percent	24.36%
Time	1:47:06

Optimal Standard

Percent	23.40%
Time	0:32:51

Percent	21.45%
Time	0:13:27

Percent	3.14%
Time	0:37:51

Percent	23.21%
Time	2:10:00

Percent	16.43%
Time	1:25:00

Percent	23.40%
Time	1:05:00

Percent	8.17%
Time	0:27:00

Percent	22.34%
Time	1:30:00

Percent	20.09%
Time	1:27:00

Percent	6.70%
Time	2:16:01

Workload Study Data: Child Cases

service units: Post-Perm Plan Trial Preparation

	Sum	N	Mean	Median
Time	14:08:00	56	0:40:51	0:25:30

service units: Post-Perm Plan Hearing: Witnesses Testify

	Sum	N	Mean	Median
Time	16:47:00	94	0:26:02	0:15:00

service units: Post-Perm Plan Hearing: Witnesses do not Testify

	Sum	N	Mean	Median
Time	8:51:00	1,510	0:11:48	0:10:00

service units: Post-Perm Plan: Prepare and File Notice of Appeal

	Sum	N	Mean	Median
Time	0:45:00	3	0:15:00	0:20:00

service units: Post-Perm Plan: Prepare/File/Respond/Argue Writ

	Sum	N	Mean	Median
Time	15:28:00	7	5:38:17	0:50:00

Basic Standard

Percent	12.44%
Time	3:50:00

	no adopt	adopt
Percent	0.68%	0.02%
Time	1:50:00	2:35:00

Percent	17.83%	1.55%
Time	0:17:05	0:12:06

Percent	0.23%
Time	0:10:00

Percent	3.98%
Time	11:40:00

Optimal Standard

Percent	0.97%
Time	4:40:00

	no adopt	adopt
Percent	0.89%	0.05%
Time	1:55:00	2:40:00

Percent	17.98%	1.54%
Time	0:20:00	0:14:02

Percent	0.25%
Time	0:10:00

Percent	0.20%
Time	15:00:00

29, 2003

University of California, Berkeley
 Center for Social Services Research
 California Children's Services Archive
 Cases with Initial Detention Hearing in January 2001
 Days Between Last Detention and First Jurisdiction Hearings

There were 2990 cases that had their first detention hearing in January, 2001.

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days	893	1.0	24.0	107.0	13.0	21.0	29.0
52.0 days2	893	1.0	57.9	693.0	15.0	26.0	48.0
286.0							

Days Between Last Detention and First Jurisdiction/Disposition Hearings

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days	1816	1.0	28.8	286.0	21.0	25.0	35.0
53.0 days2	1816	1.0	62.0	700.0	21.0	28.0	43.0
300.0							

Days Between Last Jurisdiction and First Disposition Hearings

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days	553	0.0	24.3	121.0	14.0	21.0	31.0
51.0 days2	553	0.0	107.9	652.0	50.0	70.0	110.0
393.0							

Days Between Last Jurisdiction/Disposition and First Disposition Hearings

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days	319	0.0	32.6	227.0	14.0	28.0	41.0
90.0 days2	319	15.0	108.7	707.0	57.0	82.0	124.0
295.0							

Days Between Last Disposition and First Six-Month Review (WIC 366.21(e))
Hearings

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days 189.0	556	0.0	143.4	266.0	127.0	166.5	182.0
days2 375.0	556	0.0	257.9	678.0	222.0	238.5	279.0

Days Between Last Jurisdiction/Disposition and
First Six-Month Review (WIC 366.21(e)) Hearings

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days 219.0	839	0.0	157.9	293.0	150.0	181.0	182.0
days2 336.0	839	14.0	234.3	698.0	207.0	225.0	251.0

Days Between Last Six-Month Review and First 12-Month Permanency Hearings
(WIC 366.21(e) to WIC 366.21(f) Hearings)

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days 189.0	1065	0.0	148.5	365.0	133.0	175.0	182.0
days2 516.0	1065	14.0	401.1	708.0	377.0	401.0	426.0

Days Between Last 12-Month Permanency and First 18-Month Permanency/Review
Hearings

(WIC 366.21(f) to WIC 366.22 Hearings)

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days 182.0	448	2.0	131.1	253.0	109.0	131.0	168.0

days2	448	49.0	525.1	704.0	518.5	541.0	560.0
667.0							

Days Between Last Six-Month Review and Selection and Implementation Hearings
(WIC 366.21(e) to WIC 366.26 Hearings)

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days	245	0.0	105.9	406.0	91.0	118.0	120.0
160.0							
days2	245	40.0	381.1	637.0	322.0	378.0	435.0
575.0							

Days Between Last 12-Month Permanency and Selection and Implementation Hearings
(WIC 366.21(f) to WIC 366.26 Hearings)

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days	264	7.0	108.5	238.0	105.0	119.0	120.0
148.0							
days2	264	133.0	511.8	696.0	478.0	535.5	580.5
650.0							

Days Between Last 18-Month Permanency/Review and Selection and Implementation Hearings
(WIC 366.22 to WIC 366.26 Hearings)

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days	130	0.0	84.3	162.0	35.0	114.0	120.0
126.0							
days2	130	13.0	535.0	726.0	457.0	590.0	665.0
700.0							

Days Between Disposition and Selection and Implementation (WIC 366.26)
Hearings
When WIC 366.26 Hearing Apparently Ordered at Disposition Hearing

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days 180.0	261	0.0	102.9	276.0	85.0	119.0	122.0
days2 542.0	261	21.0	232.3	726.0	153.0	201.0	252.0

Days Between Hearing Ordering Selection and Implementation Hearing to
Hearing
(Disposition, WIC 366.21(e), 366.21(f) or 366.22 to WIC 366.26 Hearings)

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days 153.5	900	0.0	102.7	406.0	91.0	118.0	120.0
days2 665.0	900	13.0	398.5	726.0	231.0	404.5	544.5

Days Between Selection and Implementation and First Post Permanent Plan Review
Hearings
(WIC 366.26 to WIC 366.3 Hearings)

95th Variable Pctl	N	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
days 185.0	701	0.0	101.6	366.0	29.0	91.0	179.0
days2 691.0	701	57.0	488.8	716.0	379.0	508.0	610.0

Days Between Detention Hearing and First Settlement/Pre-trial Conference

95th N Pctl	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
203 50.0	2.0	28.2	61.0	18.0	28.0	42.0

Days Between Detention Hearing and Mediation

95th N Pctl	Minimum	Mean	Maximum	Lower Quartile	Median	Upper Quartile
14 47.0	4.0	28.6	47.0	21.0	27.5	42.0

Settlement/Pre-trial Conferences - Hearing Type Preceding

	GENDER_CODE		
	F	M	All
	N	N	N
Hearing Type			
Juris/Dispo	115	96	211
Jurisdiction	56	60	116
Disposition	22	25	47
364 FM Rev	17	17	34
366.21(e)	51	59	110
366.22	25	19	44
366.26	15	14	29
366.3	13	15	28
Ex Parte App	7	7	14
Spec/Interim	60	62	122
Mediation	14	18	32
15 Day Review	6	3	9
366.21(f)	23	14	37
241.1 WIC	1	.	1
Detention	16	12	28
Initial Pet	.	1	1
Noticed Mot	3	.	3
Pretrial	3	7	10
All	447	429	876

For example: There were 876 settlement/pre-trial conferences shown for the 2990 cases that had their first detention hearing in January, 2001. 211 of these preceded a combination jurisdiction/disposition hearing.