
Delays in Juvenile Justice: Findings from a National Survey

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Introduction

Federal policy makers have recently called upon the juvenile justice system to impose sanctions on juvenile law violators in a more timely fashion. One of the founding principles of the Department of Justice's program strategy for serious, violent, and chronic juvenile offenders is the use of "immediate interventions" that address delinquent behavior as soon as possible, and thereby prevent juveniles from becoming further involved with the justice system (Wilson and Howell, 1993). Although this principle applies primarily to the need for early intervention relative to a juvenile's entire offending "career," it also suggests that courts should react as swiftly as possible to each instance of delinquent behavior. As one step in reaching this goal, policy makers, researchers, and juvenile justice professionals should understand the scope and significance of processing delays in the juvenile justice system.

This study presents findings from a national survey in which juvenile justice professionals from 123 U.S. counties answered questions about processing delays in their juvenile courts. The survey was one component of a larger, more comprehensive examination of

case processing delays in the juvenile justice system. The *Delays in Juvenile Justice Sanctions Project*, funded by a grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) examined the extent to which unnecessary delays exist in the processing of juvenile court cases and analyzed the causes and effects of delays. The project was designed to result in recommendations regarding the need for national standards or policy initiatives on delays in the juvenile justice system.

Juvenile Court Case Processing

The volume of delinquency cases handled by the Nation's juvenile justice system has grown in recent years. According to the FBI's Uniform Crime Reports, law enforcement agencies made 11% more arrests of persons under the age of 18 in 1992 than in 1988 (Federal Bureau of Investigation, 1993). Adult arrests increased just 6% over the same time period. The increase in juvenile arrests was even greater for Violent Index offenses (i.e., murder, forcible rape, robbery, and aggravated assault). Between 1988 and 1992, juvenile arrests for the four Violent Index offenses increased 47%,

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compared to a 19% increase in the number of adult arrests for those offenses. In 1992 more than 60% of all juvenile arrests resulted in referral to a juvenile court (FBI, 1993). Accordingly, the total number of delinquency cases handled by U.S. juvenile courts increased 26% between 1988 and 1992, from 1,170,400 to 1,471,200 annually (Butts et al., 1994). Large increases occurred in the number of juvenile court cases involving criminal homicide (55%), robbery (52%), aggravated assault (80%), and weapons offenses (86%).

Case Processing Time

National information on juvenile court case processing time is not available. However, a number of States have reported increased dispositional delays during the past ten years. For example, in Nebraska between 1986 and 1988, the proportion of delinquency referrals that required more than 30 days to reach final disposition increased from 57% to 64% statewide (Nebraska Commission on Law Enforcement and Criminal Justice, 1986; 1988). Similarly, between 1986 and 1990, juvenile courts in the State of Pennsylvania reported a 10% increase in the median number of days between referral and final disposition for delinquency cases, from 51 to 56 days (Pennsylvania Juvenile Court Judges' Commission, 1986; 1990). In Arkansas, at the close of (fiscal) 1992, 29% of the State's pending delinquency cases had been awaiting court disposition for more than one year, compared with just 12% at the end of 1990 (Arkansas Administrative Office of the Courts, 1990; 1992).

Juvenile court case processing is often thought to be far quicker than case processing in the criminal courts. A 1989 study conducted by the National Center for State Courts examined felony case processing times in 26 metropolitan trial courts and found that the median number of days that elapsed between the indictment (or filing of information) and the disposition of petition charges (i.e., plea, trial verdict or dismissal but excluding sentencing) ranged from 22 to 233 (Goerdt et al., 1989: 64). All but one of the courts in the NCSC study had median petition disposition times of 150 days

or less. Seventeen of the 26 jurisdictions (65%) had median petition disposition times that were under 100 days.

An analysis by the National Center for Juvenile Justice (NCJJ) examined case processing times for a sample of 139,000 delinquency cases handled during 1992 by juvenile courts in 24 large metropolitan jurisdictions in 10 States (Butts, 1994). This analysis examined the amount of time between filing of the court complaint and case disposition (the juvenile court equivalent of case sentencing). The median number of days between filing and disposition for all delinquency cases ranged from 11 days to 140. A more appropriate comparison with criminal court cases, however, would examine juvenile court case disposition times for petitioned (or formally handled) delinquency cases only. When only petitioned delinquency cases were included, the median case disposition time among the 24 jurisdictions ranged from 36 to 171 days. Fourteen jurisdictions (58%) had median disposition times under 100 days for petitioned delinquency cases.

Average median disposition times were computed for both the NCSC criminal court and the NCJJ juvenile court studies. In the NCJJ analysis, the average median for petitioned delinquency cases was 91 days. Among the felony cases studied by Goerdt and his colleagues, the average median was 86 days. For these criminal and juvenile court data sets to be truly comparable, sentencing time would need to be incorporated in the NCSC analysis. In most criminal court jurisdictions one would expect sentencing to take from 30 to 60 days for most cases, thereby increasing the NCSC criminal court average median time to approximately 116 to 146 days. Thus, although juvenile court case processing times are most likely shorter than in criminal courts, the magnitude of the difference may be less than commonly believed.

The issue of case processing delay is particularly critical for the juvenile courts. Child development research has shown that adolescents are less capable than adults of anticipating the future consequences of their behavior, and are less likely to alter their behavior in order to achieve future rewards or avoid future

punishments (Elkind, 1966; Inhelder & Piaget, 1958; Piaget, 1972). In order to be effective, a juvenile court's response to delinquent behavior must quickly follow the behavior itself. Furthermore, the jurisdictional authority of a juvenile court is time-limited, usually extending only to a youth's 18th birthday. Thus, every day a juvenile disposition is delayed means one less day the juvenile justice system has to work with the youth. It has been said that the juvenile court's involvement with delinquent youths occurs "within the span of an ever ticking clock, and each day of processing time takes away opportunity for potential treatment" (Mahoney, 1985: 39).

Methodology

Questionnaires were mailed to juvenile court professionals in a representative sample of 127 jurisdictions throughout the United States. The questionnaires measured opinions and attitudes about delays in the handling of juvenile delinquency cases. In addition to collecting data on the attitudes and opinions of respondents, the questionnaires collected information on a variety of organizational, procedural, and legal factors that were thought to affect delinquency case processing. The major purposes of the survey were to develop information on the degree to which juvenile court operations were hindered by the type of organizational problems that are related to case delays, and to obtain preliminary data on the prevalence and impact of delays in the handling of delinquency cases.

Study Sample

A stratified, random sampling technique was used to generate a nationally representative sample of juvenile court jurisdictions. Stratification was based on the size of a jurisdiction's youth population. Each of the Nation's 3,141 counties was placed into one of three strata, based on the number of county residents between the ages of 10 and 17 (inclusive) reported in the 1990 Census of the United States. In 1990 the largest 164 counties in the Nation contained approximately 50% of the

youth population. These counties comprised the first sampling stratum. The remaining counties were placed into a second and third stratum so that each stratum contained 25% of the youth population.

Counties were selected at random from within each of the three strata by taking every n^{th} county from lists sorted by population size. The larger jurisdictions in the first stratum were slightly over-sampled since juvenile courts in large urban counties are thought to handle a disproportionate number of the Nation's serious delinquency cases. In all, 127 counties were sampled -- 77 counties were taken from stratum 1, and 25 counties each were randomly selected from strata 2 and 3. The sampling frame was designed to reflect the jurisdictions that handle the Nation's delinquency cases, rather than representing the range of actors within the juvenile justice system (e.g., judges, prosecutors, etc.).

Data Collection

Between four and five survey forms were mailed to each of the sampled jurisdictions. Published directories and telephone contacts were used to identify several respondents from each jurisdiction, including the administrative (or presiding) judge, the juvenile court administrator, a staff person with responsibility for managing the court calendar or docket (if such a position existed), the chief juvenile prosecutor, and the chief public defender. In jurisdictions without a public defender's office or its equivalent, the researchers asked another respondent to identify a member of the local defense bar thought to have extensive juvenile court experience. In all, 567 questionnaires were mailed to respondents in the 127 sampled jurisdictions.

The response rate was 65%, with 371 surveys returned (table 1). At least one survey was returned from 123 of the 127 jurisdictions contacted by the study. Thus, only four jurisdictions failed to respond entirely. More than a third (44) of the jurisdictions returned four or more surveys. A majority (86) returned three or more surveys, while 20 jurisdictions returned just two forms and 17 returned one survey.

Table 1: Survey response rate by type of respondent.

Type of Respondent	Mailed	Received	Response Rate
Judge	123	82	67%
Administrator or docket manager	199	148	74%
Prosecutor	121	70	58%
Defense Counsel	124	71	57%
All Respondents	567	371	65%

The response rate was satisfactory among all respondent groups (57% or higher). Court administrative staff (administrators and docket managers) were the most likely to return the survey (74%). Analyses of the survey data did not reveal any important differences in the response rate according to several county characteristics that could be expected to affect the operations of the juvenile justice system i.e., population size, juvenile population as a proportion of the total, percentage of racial and ethnic minorities in the population, and the rate of juvenile arrests for FBI Index Crimes in 1990.

Results

Of the 123 responding courts, 76% described themselves as juvenile or family courts, while 20% were courts of general jurisdiction.¹ By definition, all courts in the study were responsible for handling delinquency cases, while 93% were also responsible for abuse and neglect cases, 77% for juvenile status offense cases, and 53% handled adoptions. Fewer than half (47%) of the responding courts were responsible for guardianship cases, 46% for juvenile traffic cases, and 45% for general domestic relations. Approximately one-fourth of the responding courts (usually the smaller, more rural jurisdictions) were responsible for handling criminal and civil cases.

When asked to rank their various caseloads according to which consumed the most of the court's time, 42% of the courts indicated that their delinquency caseload required the most time overall. The delinquency caseload was

the second most time-consuming for another 28% of the responding courts. Thus, for 70% of the responding courts, delinquency cases represented one of the two most time-consuming caseloads handled by the court. The child dependency caseload was the most time-consuming for 22% of the responding courts. Of these 27 courts, two-thirds (18) listed their delinquency caseload as the second most time-consuming.

As would be expected, the courts in larger jurisdictions -- those most likely to be juvenile or family courts -- were twice as likely as smaller courts to report that their delinquency caseload was the most time-consuming. Among the 77 large jurisdictions in the first sampling stratum, 55% reported that their delinquency caseload required the most overall court time. Just 22% of the smaller jurisdictions believed that their delinquency caseload was the most time-consuming.

Satisfaction with Case Processing Time

The survey included a range of questions about the respondents' satisfaction with case processing time for delinquency cases. For each item, respondents were asked to indicate whether they were "dissatisfied," "somewhat dissatisfied," "somewhat satisfied" or "satisfied" with the time required to process delinquency cases in their jurisdiction. One fifth of all respondents expressed some dissatisfaction with their court's timeliness in processing delinquency cases in general (table 2).² The greatest degree of dissatisfaction noted by respondents was with the time required to pro-

cess cases being waived or transferred to criminal court (26%). Transferred cases, however, typically represent a very small proportion (under 1%) of a juvenile court's delinquency caseload (Butts et al., 1994).

The time required to process informally handled delinquency cases -- i.e., cases handled without the filing of a petition -- was least likely to generate dissatisfaction among the respondents. Only 11% of the survey respondents expressed dissatisfaction with the timeliness with which informal cases were handled. Informally handled cases usually account for half of all delinquency caseloads nationwide (Butts et al., 1994). In cases where juveniles were formally petitioned, 18% of respondents were dissatisfied with the time required to handle cases when juveniles were being held in detention awaiting disposition, while 21% were dissatisfied with the timeliness of cases that did not involve detention.

Considerable variation was found when the analysis examined dissatisfaction with case processing time by respondent group. The respondents least dissatisfied with case pro-

cessing time in general were judges (12%). Defense attorneys as a group were more dissatisfied with case processing time (31%) than other survey respondents. Among both administrative staff and prosecutors, 20% expressed dissatisfaction with the speed of delinquency case processing in general. Differences in general dissatisfaction were statistically significant (X^2 ; $p < .05$).

Significant differences were also found when the analysis considered specific types of delinquency cases. With one exception (formally charged cases, not involving detention), higher levels of dissatisfaction were expressed by defense counsel respondents. For informally handled cases, 21% of all defense counsel respondents expressed dissatisfaction with the amount of time needed for court processing, compared with 13% of prosecuting attorneys, 9% of judges, and 5% of administrators. Defense counsel respondents were also far more likely to be dissatisfied with the time required to process cases involving detained juveniles -- 38% of defense attorneys, compared with 16% of prosecuting attorneys, 16% of judges, and 11% of court administrators.

Table 2: Proportion of respondents expressing dissatisfaction with the timeliness of case processing, by type of delinquency case, by type of respondent.

Type of Case	Type of Respondent				
	Total (N=371)	Judge (N=82)	Admin. (N=148)	Prosecutor (N=70)	Counsel (N=71)
* Delinquency cases in general	20%	12%	20%	20%	31%
** Informally diverted cases	11	9	5	13	21
Formally charged cases, not detained	21	17	20	20	30
** Formally charged cases, detained	18	16	11	16	38
* Cases waived to criminal court	26	20	24	23	41

* Significant difference (X^2 ; $p < .05$) in dissatisfaction expressed, according to type of respondent.

** Significant difference (X^2 ; $p < .01$) in dissatisfaction expressed, according to type of respondent.

Case Processing Stages

Respondents were asked to rate their satisfaction with the amount of time needed for delinquency cases to proceed through various stages of the juvenile court process, including intake screening, petitioning, adjudication, disposition and the implementation of services and sanctions (table 3). One-fifth of all respondents expressed dissatisfaction with the timeliness of petitioning (21%), adjudication (20%), and disposition (20%). Just 14% were dissatisfied with the time necessary to complete intake screening. More than a third (35%) of the respondents, however, expressed dissatisfaction with the time required to implement the services and/or sanctions planned for youth involved in delinquency cases.

The respondents' dissatisfaction with the time needed to implement services and sanctions may be an accurate reflection of their concerns about the difficulties involved in fulfilling dispositional orders including placement on probation and arranging other post-dispositional sanctions and services (e.g., resi-

dential and other out-of-home placements). On the other hand, their responses may simply reflect an accumulated frustration with delays in general the time spent waiting to complete the last aspect of case handling may be magnified by all of the waiting that has gone before. Respondent dissatisfaction with the implementation of sanctions and services may also reflect concerns about the quality and adequacy of these rather than merely the timeliness of their implementation.

Defense counsel respondents were more likely than other respondents to express dissatisfaction with the time required for intake screening (25%), petitioning (38%), adjudication (27%), disposition (28%), and the implementation of services or sanctions (55%). Interestingly, the lowest dissatisfaction rates for each processing stage were found within the respondent group that typically would be most directly responsible for completion of this activity.³ That is, court administrators were least likely to be dissatisfied with the amount of time needed to complete intake screening (6%). Prosecutors were least likely to be dissatisfied

Table 3: Proportion of respondents expressing dissatisfaction with the amount of time needed to process delinquency cases, by stage of processing, by type of respondent.

	Type of Respondent				
	Total (N=371)	Judge (N=82)	Admin. (N=148)	Prosecutor (N=70)	Counsel (N=71)
Dissatisfied with Timeliness of . .					
** Intake screening	14%	13%	6%	21%	25%
** Filing of charges (petitioning)	21	23	16	14	38
Adjudication	20	16	18	20	27
** Disposition	20	15	17	23	28
** Onset of services or sanctions	35	33	22	43	55

* Significant difference (X^2 ; $p < .05$) in dissatisfaction expressed, according to type of respondent.

** Significant difference (X^2 ; $p < .01$) in dissatisfaction expressed, according to type of respondent.

with the amount of time needed to file charges (14%). Judges were least likely to express dissatisfaction with the amount of time needed for a case to proceed to adjudication and disposition (16% and 15%, respectively). Court administrators were also least dissatisfied with the time required for the implementation of services or sanctions (22%). Differences in the dissatisfaction of respondent groups were statistically significant in all instances except for adjudication (X^2 ; $p < .01$).

Organizational Characteristics

Researchers have found court delays to be associated with increased workloads, inadequate resources, inefficient courtroom procedures, indifferent staff attitudes, and poor organizational arrangements that limit the court's ability to monitor the flow of cases effectively (e.g., Church, 1982; Eisenstein and Jacob, 1977; Luskin and Luskin, 1986; Mahoney et al., 1988; Zatz and Lizotte, 1985). The survey included a range of items about organizational characteristics and courtroom procedures and whether they were thought to cause problems in juvenile courts. For each problem listed, respondents were asked to indicate whether the item was "not a problem," a "minor" problem, a "moderate" problem, or a "serious" problem for their court.⁴ In all, 35 items were used to measure respondent perceptions about organizational problems. The selection of these items was based upon their saliency in the research literature, and their potential contribution to understanding delays in a juvenile justice setting.⁵

The analysis that follows is divided into two parts. First, data are presented that indicate the degree to which respondents believed that particular organizational and procedural items were either a moderate or serious problem for their court (table 4). Percentages are provided for each respondent group. Comparative rankings of each item are also provided. The presentation is divided into seven subsections, reflecting groups of related items as suggested by the literature:

1. Court workload,
2. Resources,

3. Caseflow management,
4. Calendaring,
5. Procedural issues that affect case flow,
6. Staff attitudes, and
7. Legal environment.

Second, the analysis examines the degree to which the respondents' perceptions of problems in these areas were correlated with their dissatisfaction with the timeliness of delinquency case processing. Correlation statistics are provided along with a rank ordering. Together, these analyses suggest that certain organizational and procedural problems are more likely than other problems to be associated with case processing delays. That is, some items that were considered to be serious court problems by many respondents were only weakly correlated with perceptions of case processing delays. On the other hand, a number of items infrequently cited as moderate or serious problems proved to be highly correlated with case processing delays.

Court Workload

Studies of court delay conducted prior to the 1970s often focused on the size of a court's workload in an attempt to explain case delays (e.g., Zeisel, Kalven and Buchholz, 1959). More recent research suggests that it is simplistic to assume that case processing delays are principally a function of court workload. Still, the volume of cases handled by a court is often a critical starting point in understanding the nature of processing delays in juvenile courts. Four questions on court workload were included in the survey. Two items asked whether increases in the volume and backlog of delinquency cases presented problems for the court. Two other items asked about increases and backlogs of non-delinquency (i.e., dependency) cases.

A large percentage of respondents indicated that their court was experiencing problems in handling a growing number of delinquency case filings and/or coping with a large backlog of delinquency cases. Of the 371 juvenile justice professionals responding to the survey, 178 (or 48%) indicated that their court

Table 4: Proportion of respondents acknowledging a "moderate" or "serious" problem with organizational and procedural characteristics in their juvenile court.

Problem Area	Rank \pm	Total (N=371)	Type or Respondent			
			Judge (N=82)	Admin. (N=148)	Prosecut (N=70)	Counsel (N=71)
Workload						
Increase in delinquency case filings	2	48%	43%	44%	59%	52%
Increase in nondelinquency case filings	8	36	40	38	31	34
** Large backlog of delinquency cases	14	30	12	30	39	42
Large backlog of nondelinquency cases	19	25	21	25	23	32
Resources						
Not enough judges/hearing officers	12	30	32	27	29	37
Insufficient court staff	6	38	30	40	41	41
Lack of court staff with primary responsibility for monitoring caseload	11	32	26	31	34	38
Insufficient court funds	1	54	56	49	61	55
Lack of courtroom space	5	40	40	36	41	46
** Lack of diversion alternatives	3	46	52	34	47	61
Caseload Management						
Case processing is unnecessarily complex	33	13	10	14	13	13
Lack of established case processing procedures	30	17	12	16	14	27
Lack of automated caseload reports	15	30	34	32	30	18
** Inability to identify time-consuming cases early in the court process	28	17	12	11	20	32
Lack of internal accountability regarding caseload management	21	23	22	20	23	32
Inadequate communication within court regarding processing delays	26	19	13	20	21	24
Calendar						
** Inefficient calendar/assignment system	22	22	10	17	34	37
Too many court continuances granted	7	38	38	42	34	32
* Lack of guidelines governing continuances	16	29	16	30	36	34
Hearing schedule is not regarded as "certain" by participants	20	24	20	27	20	25
Other Procedures						
Delays in police filing of initial complaint	25	20	12	20	24	27
** Quality of evidence in police investigations	4	42	34	24	56	73
Time consuming jury trials	35	6	5	6	7	6
Slow service of process (hearing notification)	26	19	22	14	24	24
* Delays in distribution of court orders	31	16	6	16	19	23
** Delays in court-ordered investigations	10	32	27	22	40	51
Counsel assignment is slow or inefficient	29	17	15	17	21	15
Counsel reimbursement method encourages protracted case processing	33	13	9	12	10	21
Staff Attitudes						
Timely case processing is not of sufficient concern to judges	32	15%	6%	20%	14%	17%
Timely case processing is not of sufficient concern to other (nonjudicial) court staff	23	22	13	21	23	31
** Timely case processing is not of sufficient concern to prosecutors	18	26	26	32	1	37
** Timely case processing is not of sufficient concern to defense attorneys	9	33	39	40	37	10
Legal Environment						
** Lack of case processing goals or standards	24	21	13	20	17	38
Increase in legislative requirements regarding delinquency cases	12	30	35	31	26	27
** Increase in legislative requirements regarding nondelinquency cases	17	27	39	31	13	17

* Significant difference (χ^2 ; $p < .05$) in proportion noting problems, according to type of respondent.** Significant difference (χ^2 ; $p < .01$) in proportion noting problems, according to type of respondent. \pm Indicates the order of items according to the number of respondents noting moderate or serious problems. The item ranked first was selected by the largest number of respondents as being a moderate or serious problem; the item ranked second was selected by the next largest number of respondents, etc. Ties received equal rankings.

was experiencing moderate to serious problems in coping with an increasing number of delinquency case filings (table 4). This problem ranked second overall on the list of problem areas evaluated by the respondents. More than a third (36%) of survey respondents also indicated that their court was experiencing problems with an increasing number of non-delinquency cases. This item ranked 8th among all problem areas.

Another 30% of the survey respondents noted that a large *backlog* of delinquency cases presented moderate to serious problems for their court. The response to this item varied by respondent type. Defense counsel respondents and prosecutors were significantly more likely to report problems with delinquency case backlogs (42% and 39%, respectively) than were judges (12%).

Resources

Studies of court delay have traditionally examined the issue of court workloads within the context of available resources. In other words, it is not merely large or increasing workloads that are associated with delays, but an imbalance between workload and resources. Several items in the survey addressed the adequacy of available resources by asking the degree to which respondents perceived problems with:

- insufficient court staff,
- a lack of court staff with specific responsibility for caseload management,
- not enough hearing officers and judges,
- insufficient court funds
- a lack of courtroom space, and
- a lack of diversion alternatives.

Resource problems ranked very high in the survey. Four of the six resource items ranked in the top ten of all problem areas. More respondents noted problems with insufficient court funds than any other item in the survey (54%). Only one respondent group failed to rank this item first -- defense attorneys ranked it third, behind problems with the quality of police

evidence (73%) and a lack of diversion alternatives (61%). Other resource items that respondents ranked high included a lack of courtroom space (40%) and insufficient court staff (38%).

Caseload Management

Poor caseload management practices have often been cited as a major source of case processing delays (see Solomon and Somerlot, 1987). The survey examined each respondent's opinions about the extent to which caseload management issues were problematic for their court. The survey included items on:

- case processing complexity,
- lack of established case processing procedures,
- lack of automated caseload reports,
- inability to identify time-consuming cases early in the court process,
- lack of internal accountability for caseload, and
- inadequate internal communication.

None of the caseload management items were ranked very highly by respondents, suggesting that such issues do not present problems for most courts, or that most court participants are not concerned about the impact of such problems compared with other pressing issues. A number of these items, however, were highly associated with respondent dissatisfaction with case processing time (see table 5). This suggests that while most courts did not have trouble with caseload management issues, those that did have such troubles were very likely to be experiencing delinquency case delays. The caseload management problem noted most often by respondents was a lack of automated caseload reports. Thirty percent of respondents believed this to be a moderate or serious problem in their jurisdictions (ranked 15th overall). Judges, administrators, and prosecutors were more likely to see this as a problem than were defense counsel respondents. On the other hand, defense attorneys were more likely to perceive problems with a lack of established case processing procedures, a lack of internal accountability in the court regarding

case processing, and an inability to identify problem cases early in the court process.

Calendaring

A number of issues related to the calendaring of cases and the scheduling of hearings have been investigated in the research literature on case processing delays (Mahoney et al., 1988). Four items in the survey addressed these issues by asking the respondents to indicate the degree to which their court was experiencing problems due to the fact that:

- the calendar/assignment system was thought to be inefficient,
- too many court continuances were granted,
- the court lacked firm guidelines for the granting of continuances, and
- hearing schedules were not regarded as "certain" or dependable by court participants.

The calendaring problem noted most often by the respondents was that the court granted too many continuances. Overall, 38% of the respondents believed this to be either a moderate or serious problem in their court. Excessive continuances ranked seventh overall among the problems noted by respondents. Other calendaring items were believed to be serious problems by some respondents but not others. For example, more than a third of the prosecutors and defense attorneys perceived problems with inefficient case assignment systems, but only 10% of judges and 17% of administrative staff agreed. Judges were also significantly less likely than other respondents to see serious problems with a lack of guidelines governing the use of continuances.

Procedural Issues That Affect Case Flow

Several items in the survey asked the respondents to evaluate the impact of other procedural issues on their court's operations. For example, two items addressed the quality and timeliness of police investigations as they applied to the juvenile court process. One of these issues emerged as the fourth most com-

mon problem noted by respondents. More than two of every five respondents (42%) believed that the quality of evidence contained in police investigations presented either moderate or serious problems for the court. On the other hand, items related to police investigations were not particularly correlated with the respondents' dissatisfaction with delinquency case processing (see table 5).

Three items in the survey addressed court functions with direct and immediate impact on the ability of the hearing officer to proceed with a scheduled hearing. Inconsistencies in the execution of these responsibilities can often result in the adjournment or continuation of a scheduled hearing due to the absence of a key individual, misunderstandings regarding previous case determinations, and/or a lack of critical case information:

- inadequate or slow "service of process" (notification of witnesses and victims of upcoming hearings),
- delays in the distribution of court orders, and
- delays in the completion of court-ordered investigations and reports.

Of these three issues, the problem most often noted by respondents was delay in the completion of investigations (ranked 10th overall). Once again, prosecutors and defense attorneys were more likely to see problems in this area than were judges and court administrators.

Staff Attitudes

Previous research on court delay has often found that the norms and expectations of those involved in the court process i.e., the court's informal "culture" can influence the timeliness of case processing (Church et al., 1978). When the professionals working in a court do not actively support timely case processing, researchers have found that cases are indeed handled more slowly. The survey measured this factor by asking each respondent to indicate the degree to which their court had problems due to "insufficient concerns" about timely case processing. Respondents were asked to

evaluate the attitudes of judges, administrators, prosecutors, and defense attorneys.

Overall, most respondents did not believe that their courts were troubled by a lack of staff concern for timely case processing. Just 15% perceived such problems with the attitudes of judges, 22% with the attitudes of administrative staff, 26% with the attitudes of prosecutors, and 33% with the attitudes of defense attorneys. When the analysis examined these factors for their relationship to dissatisfaction with case processing time, however, the attitudes of judges and administrative staff in particular appeared to be more important (see table 5).

Legal Environment

Researchers investigating court delay have concluded that differences in internal court arrangements, such as the method of case calendaring or the use of continuances, cannot completely explain why some courts process cases more slowly than others. In fact, studies have found that case handling and other court operations can be strongly influenced by the court's organizational and political environment (Eisenstein and Jacob, 1977). The survey addressed environmental forces by asking respondents to assess the extent of court problems associated with legal and statutory factors in their jurisdiction. Respondents were asked to judge whether problems existed in the court due to:

- a lack of case processing standards or goals,
- an increase in legislative requirements governing delinquency cases, and
- an increase in legislative requirements related to non-delinquency cases.

Nearly one-third (30%) of respondents believed that increases in legislative requirements related to the handling of delinquency cases had caused problems in the operations of the court (ranked 12th overall). Judges were more likely than other respondents to perceive problems with legislative requirements. The lack of standards or case processing goals was seen as

a problem by 21% of respondents (ranked 24th). Defense attorneys most frequently cited the lack of standards as a problem (39%).

Organizational Problems and Dissatisfaction with Case Processing Time

In addition to analyzing the prevalence of organizational problems in the juvenile courts, the survey analysis examined the degree to which these items were correlated with a respondent's dissatisfaction with the amount of time need to process delinquency cases in general. For example, 33% of the respondents who stated that their court was experiencing problems with a lack of court staff also expressed dissatisfaction with the amount of time needed to process delinquency cases in general. In contrast, dissatisfaction with case processing time was noted by just 10% of the respondents who did not believe their court was experiencing problems with lack of staff, and by 16% of those who saw only minor problems due to staff shortages. The correlation between problems with lack of court staff and a respondent's dissatisfaction with case processing time was statistically significant ($r = .4058$; $p < .0001$).

Pearson correlation coefficients were calculated to test the association between each organizational problem and the respondents' perception of case delays in general (table 5).⁶ Listed in decreasing order of their association with delay problems, the top 10 survey items that were related to respondents' perceptions of delay in the handling of delinquency cases were:

1. Large backlogs of delinquency cases.
2. Insufficient concern about timely case processing among non-judicial court staff.
3. Large backlogs of non-delinquency cases.
4. Lack of internal accountability among court staff regarding caseload management.
5. Inefficient calendar and case assignment system.

Table 5: Correlation between respondents' perception of problems with organizational and procedural characteristics, and general dissatisfaction with delinquency case processing time.

Problem Area	Rank \pm	N	Corr. (r)	Signif (p)
Workload				
Increase in delinquency case filings	22	354	.2427	.000
Increase in nondelinquency case filings	24	310	.2282	.000
Large backlog of delinquency cases	1	355	.4920	.000
Large backlog of nondelinquency cases	3	307	.4274	.000
Resources				
Not enough judges/hearing officers	11	294	.3786	.000
Insufficient court staff	6	347	.4058	.000
Lack of court staff with primary responsibility for monitoring caseload	9	341	.3971	.000
Insufficient court funds	14	325	.3489	.000
Lack of courtroom space	25	352	.2214	.000
Lack of diversion alternatives	31	337	.1714	.002
Caseload Management				
Case processing is unnecessarily complex	19	344	.2822	.000
Lack of established case processing procedures	8	339	.3994	.000
Lack of automated caseload reports	21	320	.2665	.000
Inability to identify time-consuming cases early in the court process	16	346	.3220	.000
Lack of internal accountability regarding caseload management	4	324	.4240	.000
Inadequate communication within court regarding processing delays	13	341	.3680	.000
Calendar				
Inefficient calendar/assignment system	5	340	.4102	.000
Too many court continuances granted	12	357	.3708	.000
Lack of guidelines governing continuances	15	347	.3366	.000
Hearing schedule is not regarded as "certain" by participants	20	350	.2747	.000
Other Procedures				
Delays in police filing of initial complaint	29	334	.1910	.000
Quality of evidence in police investigations	32	332	.1637	.003
Time consuming jury trials	35	180	.0977	.192
Slow service of process (hearing notification)	18	350	.2897	.000
Delays in distribution of court orders	23	348	.2289	.000
Delays in court-ordered investigations	27	347	.2159	.000
Counsel assignment is slow or inefficient	28	349	.2007	.000
Counsel reimbursement method encourages protracted case processing	30	289	.1846	.002
Staff Attitudes				
Timely case processing is not of sufficient concern to judges	7	345	.4033	.000
Timely case processing is not of sufficient concern to other (nonjudicial) court staff	2	344	.4434	.000
Timely case processing is not of sufficient concern to prosecutors	17	343	.3056	.000
Timely case processing is not of sufficient concern to defense attorneys	26	345	.2209	.000
Legal Environment				
Lack of case processing goals or standards	10	321	.3920	.000
Increase in legislative requirements regarding delinquency cases	33	329	.1273	.021
Increase in legislative requirements regarding nondelinquency cases	34	287	.1012	.087

\pm Indicates the order of items according to the strength of association (i.e., value of r). The item ranked first was most strongly correlated with respondent dissatisfaction (i.e., had the largest value of r).

6. Insufficient court staff.
7. Insufficient concern about timely case processing among judges.
8. Lack of established case processing procedures.
9. Lack of court staff with primary responsibility for monitoring caseload.
10. Lack of case processing goals or standards.

Of the top 10 items, four were related to court resources and workload (1, 3, 6, and 9), four were related either to the court's caseload management system or to the procedures and standards applicable to the handling of delinquency cases (4, 5, 8, and 10), and two were related to the attitudes of court participants and the degree to which they were concerned with case processing time (2 and 7).

Some organizational problems were found to be both fairly prevalent and strongly related to perceptions of delay. For example, insufficient court staff was the sixth most prevalent problem cited by respondents and was also the sixth strongest correlate of case processing dissatisfaction. Other items addressing staffing concerns (not enough judges or hearing officers, and lack of court staff with primary responsibility for monitoring caseload) also ranked relatively high on both measures.

A number of organizational issues, however, were not as frequently considered to be moderate or serious problems, but were highly related to perceptions of delinquency delays in courts where they were noted as problematic (e.g., large case backlogs, the attitudes of judges and other court staff toward timely case processing, inefficient calendar and case assignment system, and the absence of standards or case processing goals). These differences were most apparent when considering the organizational items related to caseload management. For example, lack of established case processing procedures was only the 30th most frequently cited court problem (noted by 17% of all respondents) but generated the eighth strongest correlation coefficient ($r = .3994$) with delinquency case processing dissatisfaction. A lack of internal accountability regarding caseload management was cited by 23% of all respondents as a moderate to serious problem

(ranked 21st), but was considered the fourth strongest correlate of case processing delays ($r = .4240$).

Conversely, some organizational items were frequently cited as problematic but were not highly correlated with case processing delays. For example, a lack of diversion alternatives was the third most frequently cited problem among respondents (46%). Yet, it was weakly correlated with processing time dissatisfaction ($r = .1714$). The same was true for problems with the quality of evidence in police investigations, which ranked fourth in prevalence (42%), but was ranked 32nd as a predictor of case processing delays ($r = .1637$).

This analysis suggests that while the causes of delay are multiple, juvenile courts should focus their delay reduction efforts on the specific organizational and procedural areas that are most related to difficulties with the timeliness of delinquency case processing time. The survey data suggest that a number of the most frequently cited organizational problems were only peripherally related to case processing delays. Courts seeking to reduce unwanted case processing delays may wish to begin their efforts with an investigation of the organizational problems most strongly associated with respondent perceptions of delays.

This is not to minimize the importance of the other problem areas. A wide range of organizational issues may be critical to the mission and functioning of the court, but for reasons other than timely case processing. For example, a lack of diversion alternatives (the second most frequently cited problem area in the survey) may severely limit the court's ability to intervene effectively. As the survey data suggest, however, this may not necessarily reduce the timeliness with which cases are disposed. Dispositions may not be sufficiently targeted on the characteristics of each delinquent youth, but the dispositional decisions may still be made in a timely manner.

Conclusions

Consistent with the increasing body of research on delays in the criminal and civil court systems, this survey of juvenile justice profes-

sionals suggests that case processing delays in juvenile courts are related to a number of organizational factors, including workloads, resources, staff attitudes, and administrative efforts to control the flow of cases. Survey items that measured these factors were found to be highly correlated with the strength of respondent dissatisfaction with case processing time. These items can be placed into two categories. Some aspects of delay can be tied to organizational issues that are highly *external*, such as workload and court resources. Juvenile courts may have little ability to control these factors. Other aspects of delay are associated with *internal* organizational factors, including caseflow management, calendaring, and staff attitudes.

Juvenile courts are increasingly asked to cope with expanding workloads in times of stable or even shrinking resources. The survey findings, however, suggest that juvenile justice professionals attribute case processing delays as least as much to internal as to external factors. Delays may even worsen during times of plenty. Some jurisdictions have found that adding personnel to offset an increasing workload may exacerbate the very organizational dynamics contributing to case processing delays (Carter Goble Associates, Inc., 1989).

Juvenile courts seeking to reduce unwanted case processing delays should be prepared to address a range of internal management practices, especially those that relate to caseflow management and the calendaring of cases. Court administrators should focus on reducing the complexity of case handling and streamlining the path by which cases reach final disposition. The entire adjudicatory and dispositional process must be more accountable and predictable, and the court should strive for greater consistency in case handling through the establishment of clear, measurable procedural guidelines. Juvenile courts should also be ready to understand and influence their organizational environments, however, so that timely case processing is a primary concern for all parties inside and outside of the court, particularly judges, court administrators, prosecutors, defense attorneys, law enforcement and service providers.

Like most organizational characteristics, processing delays are produced by a compli-

cated web of psychological, economic, bureaucratic, and political forces, each of which must be monitored and managed by the court. Because they are not entirely within the control of the court, however, processing delays will never be completely eliminated. Much like a fever, delays should be seen as a stimulus for corrective action, but not a sign of irreversible system failure. Unwanted delays in the handling of delinquency cases should be viewed as an indicator of a court's overall effectiveness, and as a measure of how well the court is carrying out its mission within the particular constraints of its organizational and political environment.

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Notes

¹To examine differences between courts, one respondent from each jurisdiction was chosen as a primary respondent. Primary respondents were usually judges or chief administrators.

²Responses of "not applicable" or "uncertain" were combined with "satisfied" and "somewhat satisfied" to create dichotomous variables in which a value of 0 indicated no dissatisfaction noted and a value of 1 indicated either "not satisfied" or "somewhat not satisfied." All dichotomous measures of dissatisfaction were constructed in this manner. Most tables presented here are arranged in summary fashion and display only the percentage of respondents expressing dissatisfaction (i.e., "not satisfied" or "somewhat not satisfied"). For each cell in these tables, the unreported corresponding percentage (i.e., the difference between the reported percentage and 100%) would indicate the proportion of respondents who were either "satisfied," "somewhat satisfied" or "uncertain" in their assessment of the time needed for case processing. On average, responses of "uncertain" or "not applicable" were given by 6% of the respondents to each question.

³Respondents to the survey may have been more likely to express dissatisfaction with aspects of the court process over which they had the least responsibility and, therefore, the least knowledge of day-to-day administrative constraints. The authors thank Dr. Carol Burgess of the Maricopa County (Phoenix, AZ) Juvenile Court for suggesting this interpretation.

⁴As was the case with dichotomous variables measuring dissatisfaction, "not applicable" or "uncertain" responses to these items were combined with responses indicating "no problem" or "minor problem" to create two-category variables with the lowest value indicating no major problems noted. All variables that measure the degree of problem perceived by respondents were constructed in this manner.

⁵Some items in the questionnaire were adapted from studies of case processing delays in criminal courts, most notably studies by Mahoney and his colleagues (1988: 88) and Goerdts et al., (1989: 91).

⁶Rather than using the collapsed or dichotomous version of the variables (i.e., "no dissatisfaction noted" versus "some dissatisfaction noted"), correlations were calculated with the original four-category variables. Dissatisfaction with case processing time was measured in the following categories: "Not Satisfied," "Somewhat Not Satisfied," "Somewhat Satisfied" and "Satisfied." Organizational problems were measured as: "No Problem," "Minor Problem," "Moderate Problem" or "Serious Problem." The calculation of correlation coefficients excluded respondents who indicated that they were either uncertain of their answer, or believed that a particular item did not apply to their courts.

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