



**MINNESOTA
JUDICIAL BRANCH**

FOURTH JUDICIAL DISTRICT

***Property Court After One Year:
Executive Summary***

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Property Court after One Year

Hennepin County's Property Court began in the late fall of 2000. For this review, we will consider that all of 2001 was under the new Property Court format and will compare the processing of cases to prior years, most specifically, 2000.

How many new cases have we handled?

Over the last nine years there has been an increase of 19% in new felony level property cases being filed with the court. In the last year, since the court began, there has been an increase of less than 1% in new filings: in 2000 we had 2,306 new cases, accounting for over 39% of all felony filings whereas in 2001 2,322 new cases, also accounting for 39% of all felony filings. This is a change from the six month look at filings which showed that property type felonies had decreased 12% since last year. We obviously made up that 12% in the last six months of 2001.

Property Court is composed of a number of different types of property case types. Table 2 shows the variety of cases that funnel through Property Court and how these cases have changed over time. These case types include burglary, arson, theft, property damage, receiving stolen property and motor vehicle theft.

Since 1993 two of the most serious case types, burglary and arson have decreased, as has theft-related cases and motor vehicle thefts. The remaining case types have increased over the long term.

Since last year, arson, receiving stolen property and motor vehicle theft has decreased most significantly, while forgery/fraud cases, property damage, theft and theft-related crimes have increased.

How have we done handling these cases?

Active Cases

Currently, Property Court cases are close to meeting the internally set goal of 90 days with an average age of 105 days for active cases (see Table 3). When bench warrant time (time when cases are out on bench warrant) is removed we not only meet but exceed the internal goal by resolving the cases in 69 days. Only about ¼ of the Property Court cases exceed the goal.

There were eleven cases out of the 587 active cases that were considered statistical outliers. If these cases could be handled more quickly then the length of time to dispose of Property Court cases would be reduced to 57 days.

The Court is mandated to follow the Supreme Court guidelines for felony cases. This guideline is to have 99% of the cases resolved within one year. Clearly the active cases in Property Court, on average, are well within these guidelines.

Resolved Cases

We resolved slightly less cases (decrease of 4% in Table 4) in 2001 compared to 2000. However, the number of cases requesting and receiving trials have nearly doubled since Property court. These requests were mostly for court trials not jury trials. Even though there have been significantly more trials, the percentage of cases ultimately convicted has remained fairly stable.

Table 4 shows that the various dispositions have changed very little for cases moving through Property Court. In general 45%-48% of the cases are found or plead guilty, about 16-19% are acquitted or dismissed. The rest of the cases are given some alternative disposition that necessitates the defendant following court orders prior to the charges being dismissed (between 35-36%).

Table 5 compares the number of days and appearances necessary for case resolution of property felonies for the last two years. Both adjusted and unadjusted means are presented. Adjusted means are averages where an outlier analysis has been performed to remove the cases that exceed 3 standard deviations. Many people believe that these adjusted means depict a truer average and therefore the adjusted averages will be interpreted here.

The longest part of processing property felonies is the time between the offense date and the date that the county attorney decides to prosecute the case (an average of 120 days in 2000 and 114 days in 2001 – see Table 5). For other felony cases, these prosecution decisions occur more quickly (on average for all felonies at about 2 ½ months) because cases are brought into court by complaint or indictment. For Property Court over 65% of the cases are brought to court by summons. This method takes longer since letters are sent to the defendant and court dates are set out in advance.

It takes another 16-19 days on average to move between the filing of the case and the first hearing or appearance on the case (16 in 2001). The timing for this stage is similar for property offenses when compared to other type of felonies.

The piece that is most under the court's control is the time between first appearance and case resolution. This part takes slightly over 3 months in Hennepin County District Court for property cases. Non-property felonies were processed from first appearance to disposition in a similar amount of time. Property Court was able to reduce this stage of the process by 7 days or about 1 week.

The number of appearances remained stable – an average of 4.2 in both years. This is a positive finding since the number of court trials has increased so significantly. Other felonies required an average of 5 appearances in order to resolve the case.

Scheduling of Daily Appearances

Table 6 shows the days of the week that appearances were scheduled to handle the property felonies. These appearances include post-disposition appearances as well as the appearances that were necessary to resolve the case. Prior to the beginning of Property Court Tuesdays and Thursdays were the heaviest court days. In 2001, Mondays and Thursdays were the heaviest days for appearances.

Table 7 shows the type of appearance that was scheduled on each day for each year. In 2000, over half of each day's appearances were composed of first appearances. By 2001, this had dropped to less than half of each day. Mondays were particularly busy with trials in 2001 under Property Court (16%) while in the previous year these appearances only accounted for 8% of the court business that day.

Restitution

One final issue for Property Court has to do with imposing and collecting restitution. One of the goals for Property Court was to impose restitution more quickly and to collect the money for the victims in a more expeditious manner. Community Corrections collects this information since restitution is part of the probation agreement with the defendant. An attachment of their analysis is included at the end of this report. They report that restitution was imposed and collected more quickly once Property Court was in existence. I have attached Figure 2 of their report to the tables here but their full report is attached as well.

Although the 2001 numbers for Property Court are all in the desired direction none of them have reached statistical significance.

**Table 1. New Cases Filed for
Property Felonies**

Year of Court Acceptance	1993	Count	1,965
		Row %	38.3%
	1994	Count	1,891
		Row %	37.9%
	1995	Count	1,848
		Row %	37.7%
	1996	Count	2,041
		Row %	40.0%
	1997	Count	2,095
		Row %	35.3%
	1998	Count	2,032
		Row %	33.8%
	1999	Count	2,331
		Row %	39.5%
	2000	Count	2,315
		Row %	39.2%
	2001	Count	2,322
		Row %	39.0%
Long Term Percent Change 1993-2001			+18%
Short Term Percent Change 2000-2001			+0.3%

Table 2. Type of Property Felony Filed by Year the Case began

			Type of Property Felony								Total		
			Burglary	Fraud - Forgery	Arson	Misc. Property	Property Damage	Receiving Stolen Property	Theft	Theft Related		MV Theft	
Year Case was Filed	1993	Count	167	343	13	8	70	120	433	571	240	1,965	
		Row %	8.5%	17.5%	.7%	.4%	3.6%	6.1%	22.0%	29.1%	12.2%	100.0%	
	1994	Count	155	400	6	11	68	128	420	489	214	1,891	
		Row %	8.2%	21.2%	.3%	.6%	3.6%	6.8%	22.2%	25.9%	11.3%	100.0%	
	1995	Count	107	390	7	8	72	133	350	588	193	1,848	
		Row %	5.8%	21.1%	.4%	.4%	3.9%	7.2%	18.9%	31.8%	10.4%	100.0%	
	1996	Count	115	415	8	11	79	143	368	721	181	2,041	
		Row %	5.6%	20.3%	.4%	.5%	3.9%	7.0%	18.0%	35.3%	8.9%	100.0%	
	1997	Count	94	430	2	23	92	170	453	614	217	2,095	
		Row %	4.5%	20.5%	.1%	1.1%	4.4%	8.1%	21.6%	29.3%	10.4%	100.0%	
	1998	Count	117	416	10	21	91	161	482	486	248	2,032	
		Row %	5.8%	20.5%	.5%	1.0%	4.5%	7.9%	23.7%	23.9%	12.2%	100.0%	
	1999	Count	120	508	9	42	137	140	568	487	320	2,331	
		Row %	5.1%	21.8%	.4%	1.8%	5.9%	6.0%	24.4%	20.9%	13.7%	100.0%	
	2000	Count	104	438	11	42	129	165	690	460	276	2,315	
		Row %	4.5%	18.9%	.5%	1.8%	5.6%	7.1%	29.8%	19.9%	11.9%	100.0%	
	2001	Count	107	509	5	43	145	122	664	526	201	2,322	
		Row %	4.6%	21.9%	.2%	1.9%	6.2%	5.3%	28.6%	22.7%	8.7%	100.0%	
	Long Term Change 1993-2001			-36%	+48%	-62%	+81%	+107%	+2%	+53%	-8%	-16%	+18%
	Short Term Change 2000-2001			+3%	+16%	-55%	+2%	+12%	-26%	-4%	+14%	-27%	+0.3%

Table 3. Timing Statistics for ACTIVE Property Felony Cases

As of December 31, 2001

How are we doing with respect to our goals:

If we handled the longest cases:

Type of Case	Total Active Cases	Current Average Number of Days Old	Average Time (Bench Warrant Time Removed)	Target Goal in Days	Cases longer than the Goal		Number of Cases that are Statistical Outliers*	Number of Days represented by the statistical outliers*	Adjusted Average Number of Days
Property	578	105 days	69 days	90 days	134 23.2%		11	364 days or longer	57 days

* Over 3 standard deviations away from the average (with bench warrant time removed).

**Table 4. Property Court Cases:
Type of Disposition by Year of Disposition**

		Year of Resolution		
		2000	2001	
Found Guilty	Count	42	83	+97%
	Column %	1.9%	3.9%	
Pled Guilty	Count	1,045	869	-17%
	Column %	46.5%	40.5%	
Continue for Dismissal	Count	61	47	-23%
	Column %	2.7%	2.2%	
De Novo	Count	726	729	-0-
	Column %	32.3%	34.0%	
Diversion	Count	3	3	-0-
	Column %	.1%	.1%	
Acquittal	Count	5	7	-40%*
	Column %	.2%	.3%	
Dismissal	Count	363	408	+12%
	Column %	16.2%	19.0%	
Total	Count	2,245	2,146	-4%
	Column %	100.0%	100.0%	

* Very small cell numbers should be interpreted with caution

Table 5. Case Processing Indicators for Property Court

Unadjusted Means and *Adjusted Means**

Property Court Cases	Number of cases		Days from offense to filing		Days from filing to first appearance		Days from first appearance to case resolution		Number of appearances to case resolution	
	2000	2001	2000	2001	2000	2001	2000	2001	2000	2001
	2,245	2,146	176	157	29	27	141	129	4.3	4.3
2,045	2,001	120	114	19	16	107	100	4.2	4.2	

*** BENCH WARRANT TIME IS NOT REMOVED FROM THIS ANALYSIS ***

Table 6. DAY of the WEEK for appearances by Year of Final Case Resolution

			Year of Final Case Resolution		Total	
			2000	2001		
DAY of the WEEK	MONDAY	Count	2,594	2,468	5,062	
		Column %	20.3%	23.7%	21.8%	
	TUESDAY	Count	2,865	2,028	4,893	
		Column %	22.4%	19.5%	21.1%	
	WEDNESDAY	Count	2,787	2,099	4,886	
		Column %	21.8%	20.2%	21.1%	
	THURSDAY	Count	2,981	2,290	5,271	
		Column %	23.3%	22.0%	22.7%	
	FRIDAY	Count	1,566	1,507	3,073	
		Column %	12.2%	14.5%	13.3%	
	Total		Count	12,793	10,392	23,185
			Column %	100.0%	100.0%	100.0%

**2. DAYS TO FIRST PAYMENT
Property Cases**

% of Cases With Pymt in 90 Days:
2000- 18.6%
2001- 26.2%

