A Special Report on the Corporate Area Family Court

Third Quarter of 2020

JULY -SEPTEMBER 2020 (Highlights)	
Gross Clearance Rate (%):	119.85
Gross Disposal Rate (%):	24.36
Average time to disposition (months)	6.44

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Executive Summary

This third quarter report on case activity in the Corporate Area Family Court has yet again confirmed that this court is one of the top performing on several key statistical measures and as one of the largest family courts in the island, it is poised to make a strong contribution to the attainment of the vital quantitative targets set out in the strategic plan for the Jamaican judiciary over the next 2-3 years. Among these vital quantitative targets are the attainment of a court-wide case clearance rate of 130%, a court-wide trial date certainty rate of 95% and a concomitant net case backlog rate of under 5% across the courts. Despite slower than usual case activity in the third quarter of 2020 associated with the effects of the COVID-19 pandemic, the Corporate Area Family Court was able to sustain productivity rates tantamount to near normal times.

The Corporate Area Family Court recorded a weighted average case clearance rate of 119.85% in the third quarter of 2020, among the highest of any single court across the island and consistent with the court's general trend, particularly since 2019 of exceeding the international standard on his vital metric. All four macro business units in this Family Court met or exceeded the international standard for case clearance rates, led by criminal matters with a 200% rate and child welfare with a rate of 163.33%. These strong and consistent results suggest that the Corporate Area Family Court is on course to achieving a manageable case congestion and case backlog rates within the foreseeable future. The overall case disposal rate was significantly less impressive than the case clearance rate, netting out at 24.36% but such a gap between rates is not uncommon in family courts due to the nature of some matters while case readiness for new cases would have been impacted by mitigating factors (externally and internally) associated with the COVID-19 pandemic.

The Corporate Area Family Court also fared well on the important statistical indicators of the average time to disposition and average mention court frequency. The overall average time to disposition across the four macro business units for matters resolved in the third quarter of 2020 was 6.44%, ranging from a high of 9.28 months for criminal matters to a low of 3.1 months for domestic violence matters. The related measurement of mention court frequency was also fairly good for the Corporate Area Family Court which recorded an overall rate of roughly 3, safely within the internal prescription of a maximum of five.

The Corporate Area Family Court is set to end 2020 on a strong note and is forecasted to sustain continued advances in productivity in 2021.

Introduction

Over the past two and half years, an electronic data capture system has been implemented at the Corporate Area Family Court to promote efficient data collection and statistical reporting as well as improved case management practices. The system, now nearly perfected, is the foundation for the production of this statistics report on this court which details a range of case related activities in the third quarter of 2020. The specialized family courts are quite unique within the Jamaican court system, carrying out an array of functions on daily basis – in many ways functioning as a 'one-stop shop.' Among the primary functions carried out are on site counselling, filtering matters to offsite counselling locations, extensive open court hearings and adjudication and facilitating extensive operational logistics involving the collection of payments and pay-outs for matters such as maintenance. The Family Courts also tends to a number of distinct case types/macro business units, namely criminal, civil, domestic violence, family which includes maintenance, custody, adoption, declaration of paternity, guardianship and child welfare which includes childcare and protection and uncontrollable child. The criminal division and child welfare together make up the primary activities in the Children's Court. In appreciation of the peculiar operational dynamics of the Family Court, this report seeks to provide a robust representation of both open court and non-court services, which the court offers to the public. According to the Judicature Family Court Act, the primary purpose of the Family Court is to prevent the breakdown of families and where this may be unavoidable to ensure that the welfare of its members and in particular children is safeguarded. The plethora of functions, both judicial and administrative which are performed by the Family Courts are therefore not surprising. In explain the structure

of the handling of family matters in the Jamaican court system, the Judicature (Family Court) Act of 1975 outlines that:

> Matters concerning the family of which our statute laws take cognizance are adoption, custody, maintenance, affiliation, juveniles in need of care and attention, juvenile offenders and divorce...the Resident Magistrate's Court (now parish courts) have jurisdiction in adoption, maintenance and affiliation. These courts along with the Supreme Court hear and determine matters relating to custody and guardianship. The law relating to juveniles in need of care and protection and to offending juveniles is principally administered by the Juvenile Courts, whilst the Supreme Court exercises exclusive jurisdiction in divorces.

The Family Courts are indeed an important part of the fabric of the justice sector and nation building and statistical reporting of this nature will contribute positively to the productivity of this court and improve the public's understanding and appreciation of its role and provisions. Together, these throughputs will redound to the benefit of the Jamaican society in both the long and short runs.

Structure of Report

This special annual report is subdivided into four primary chapters, the first focussing on open court operations for family criminal matters, the second on open court operations for child welfare matters, the third focusing on family matters and finally on open domestic violence.

Disclaimer

The numbers that are reflected in the case activity summary in the annual report may vary slightly from those quoted in the individual quarterly reports throughout the year due to occasional constraints with timely access to all records and other mitigating factors. Methodological adjustments may also result in slight variations in comparative figures across periods.

Methodology – Generating Court Statistics in Jamaica

Guaranteeing the reliability and validity of the data used to produce the periodic statistical reports for the Jamaican Courts is of utmost importance as we seek to produce a data driven enterprise for policymaking and operational decisions. As a result, a robust and verifiable system of data production has been created in both the parish courts and the Supreme Court. At the parish courts, a data capture system for criminal matters, called the CISS (Case Information Statistical System) has been operational in all courts for the past 4 years. This system captures a wide range of data on the progression of criminal cases from initiation to disposition and is manned by at least one dedicated Data Entry Officer Statistical Officer in each court. These officers update the system on a daily basis so that the data produced is as close as possible to real time. The electronic data sheets for each parish court are then validated and backed-up to the network at the end of each month and the data submitted to a centralized, secure medium for processing by the Statistical Unit of the Supreme Court. A robust data validation mechanism is in place to periodically sample case files in all parish courts and the Divisions of the Supreme Court on a quarterly basis. A representative sample of case files are taken in each case and

crosschecked against the electronic data to detect and eliminate errors of omission and commission.

The Court Statistics Unit at the Supreme Court produces various quarterly and annual court reports which are published on the website of the Supreme Court; however, interim data required by stakeholders may be requested through the Office of the Chief Justice.

Chapter One: Case Activity in the Criminal Division (A Division of the Children's Court)

Section 1.0: An analysis of Criminal Case Activity in the Corporate Area Family Court in the third quarter of 2020

This chapter of the document will examine a range of output and performance measurements for criminal matters in the Family Court for the third quarter ended September 30, 2020. Such will involve analyses of caseload, case type distribution, case clearance rates and disposal rates as well references to the case backlog rate and on-time case-processing rate among other metrics.

Table 1.0a: Sampling distribution of the status of charges handled at the Corporate Area Family Court in the third quarter of 2020

Number of charges handled	Number of active charges	Number of disposed charges	Number of inactive charges
412	253	146	13

The above table shows a sampling distribution of 412 criminal charges that were handled at the Corporate Area Family Court in the third quarter ended September 30, 2020. At the end of the quarter, 253 or 61.41% of these charges were still active. A matter is considered inactive when no future court date is set, as is typically the case with warrant matters. 13 or 3.16% of these charges originating was inactive at the end of the third quarter, while 146 or 35.44% were disposed.

Table 1.0b: Sampling distribution of the status of cases handled at the Corporate Area Family Court in the third quarter of 2020

Number of individual cases filed	Number of active cases	Number of cases disposed	Number of cases inactive
248	146	90	12

The above table provides a sampling distribution of the case activity corresponding to the charges in the previous table. A sample of 248 criminal cases handled at the Corporate Area Family Court in the third quarter of 2020 is shown. Of the 248 new cases handled, 146 were still active at the end of the quarter, 90 were disposed and 12 were inactive. There was a ratio of one case to 1.66 charges handled in the quarter. In other words, for every 100 cases handled, there were 166 charges.

Table 1.0c: Distribution of cases statuses for criminal cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2020

Number of new cases filed	Number of active cases	Number of inactive cases	Number of disposed cases	Case disposal rate (%)	Case clearance rate (%)
51	41	1	9	19.61	200

The above table provides a summary of the distribution of case statuses for criminal cases filed at the Corporate Area Family Court in the third quarter. Of the 51 new criminal cases filed at this court, 41 were still active at the end of the quarter, while 9 were disposed and 1 was inactive. This resulted in a case disposal rate of 19.61% for criminal cases filed. A more robust measurement of the productivity of cases handled in any court is the case clearance rate, which provides a ratio of all cases disposed to the new cases filed. The data presented in table 1.0b suggests that a total of 102 criminal cases were either disposed or became inactive in the third

quarter, resulting in a clearance rate of 200%. The Corporate Area Family Court has been employing the use of special days throughout the course of each month, which are dedicated to bringing inactive and aged matters before open court in order to expedite disposition. This initiative is a potential model to other courts.

Table 2.0: Sampling distribution of case types for criminal charges filed at the Corporate Area Family Court for the third quarter ended September 30, 2020.

Case Type	Frequency	Percentage (%)
Indictments	38	36.19
Committal Proceedings	31	29.52
Summary	22	20.95
Petty Sessions	14	13.33
Total	**105**	**100**

The above table shows that the largest proportion of the sample of 105 criminal charges filed at the Corporate Area Family Court in the third quarter of 2020. Of these, 38 or 36.19% were Indictments, 31 or 29.52% were Committal Proceedings and 22 or 20.95% were summary matters. Petty Sessions with 14 or 13.33% accounted for the lowest proportion of the sample of criminal charges in the quarter ended September 30, 2020.

Table 3.0: Sampling distribution of the top five reasons for adjournment/continuance for the quarter ended September 30, 2020

Reason for adjournment/continuance	Frequency	Percentage (%)
Social enquiry report requested	28	10.22
Psychiatric evaluation to be done	24	8.76
Subpoena investigating officer	11	4.01
Medical report unavailable	10	3.65
Resolution anticipated	10	3.65
Other methods	124	45.26
Sub-Total	**207**	**75.55**

Sample number of adjournments/continuances observed (N) = 274

The above data highlights the sampling distribution of the five leading reasons for adjournment/continuance for criminal cases heard during the third quarter ended September 30, of 2020 at the Corporate Area Family Court. Aside from the category "other methods", it is seen that social enquiry report requested accounted for 28 or 10.22% of the sample and psychiatric evaluation to be done with 24 or 8.76% rank next among the causes of delay in the progression of criminal of cases at this court. Subpoena investigating officer accounted for 11 or 4.01%, medical report unavailable and resolution anticipated each with 10 or 3.35% rounds off the list. The reasons for adjournment listed above account for 75.55% of the sample of 274 reasons for adjournments. The reason for adjournment provides critical insights into the range of both external and internal factors which explain delay in case progression. They therefore constitute an important part of computing the hearing trial date certainty rates, which are central measure of court performance.

Chart 1.0: Sampling distribution of Referrals to the Drug Treatment Court
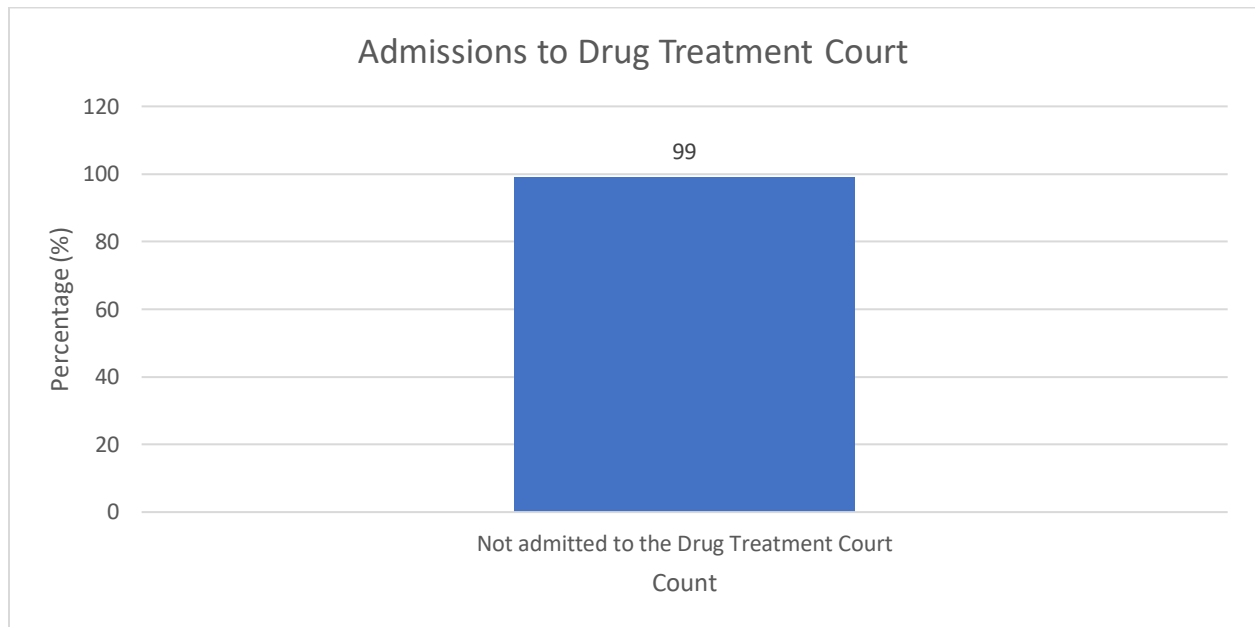
The above chart shows that from a sample of 99 children involved in matters in the Children's Court in the third quarter of 2020, all of whom were not admitted to the Drug Treatment Court. The proportion of admissions into the Drug Treatment Court provides an indication of the complexity of the dynamics involved in some cases, which in turn has implications for the times taken to dispose of cases.

Table 4.0: Sampling distribution of mention court frequency for the third quarter ended September 30, 2020

Descriptive Statistics (months)

Number of observations	343
Mean	3.20
Std. Error of Mean	.145
Median	2.00
Mode	1
Std. Deviation	2.677
Skewness	2.005
Std. Error of Skewness	.132
Range	18
Minimum	1
Maximum	19

The above table displays the descriptive statistics on mention court frequency for criminal matters at the Corporate Area Family Court in the third quarter of 2020. It is seen that the average number of mentions per case is roughly 3.2, an indication that for every 10 cases there were 32 mentions. The median number of mentions was two, and impressively the mode was one. The maximum number of mentions per matter in the quarter was 19 mentions, while the minimum was 1 mention. The relatively large standard deviation is an indication that there was some amount of variations in the mention court frequency of individual cases around the average incidence. The positive skewness is an indication that a larger proportion of the scores in the data set fell below the average mention court frequency; a result that is not surprising considering that the modal number of mentions is 1. The result is within the prescribed maximum rate 5 mentions per case, based on international best practices.

Table 5.0: Sampling distribution of methods of disposition for the third quarter ended September 30, 2020

Method of Disposition	Frequency	Percentage (%)
Transferred	29	20.86
Committed to Circuit	11	7.91
Guilty Verdict	8	5.76
Mediated settlement	3	2.16
Dismissed at Request of Complainant	2	1.44
Other	86	61.87
Total	**139**	**100.0**

The above table summarizes the methods of disposition for a sample of 139 criminal charges disposed within the third quarter. Aside from the category "other methods" it is seen that matters transferred to another court with 29 or 20.86% accounts for the largest of disposition in the quarter. Matters committed to circuit with 11 or 7.91% and guilty verdicts with 8 or 5.76% of the sample rank next. Mediated settlements with 3 or 2.16% and matters dismissed at the request of the complainant with 2 or 1.44% complete the list.

Table 6.0: Sampling distribution of times to disposition for the quarter ended September 30, 2020

Descriptive statistics (in days)

Number of observations	127
Mean	278.51
Std. Error of Mean	21.962
Median	203.00
Mode	715
Std. Deviation	247.494
Skewness	2.048
Std. Error of Skewness	.215
Range	1414
Minimum	4
Maximum	1418

The above descriptive statistics provide a summary of the time taken to dispose of a sample of 127 matters, which were disposed in the third quarter of 2020. It is seen that the average time taken to dispose of these cases was roughly 279 days or 9.3 months, while the median time was 203 days and the most frequently occurring time to disposition in the quarter (mode) was 715 days. The relativity large standard deviation suggests that there is some variation in the individual times, while the positive skewness suggests that a significant portion of the times to disposition in the data set fell below the overall average time to disposition. The maximum time taken to dispose of these cases was roughly 1418 days or 3.9 years and the minimum was 4 days.

Case Demographics

Table 1.0: Sampling distribution of the leading charges filed at the Corporate Area Family Court in the third quarter ended September 30,2020.

Type of offence	Frequency	Percentage (%)
Assault occasioning bodily harm	14	13.59
Unlawful wounding	8	7.77
Disorderly conduct	6	5.83
Grievous sexual assault	6	5.83
Buggery	5	4.85
Indecent assault	5	4.85
Rape	5	4.85
Sexual intercourse with a person under 16	5	4.85
Sub-total	**54**	**52.43**

Sample of offences filed in the third quarter of 2020 is 103

The above table provides a summary of the most frequently occurring charges filed in the third quarter of 2020 at the Corporate Area Family Court. Of a sample of 103 offences filed in the third quarter, it is seen that 14 or 13.59% were matters of assault occasioning bodily harm. This was followed by unlawful wounding with 8 or 7.77%. Grievous sexual assault and disorderly conduct with 6 or 5.83% each ranked next. Buggery, indecent assault, rape and sexual intercourse each

accounted for 5 or 4.85% of the sample. Of the leading charges listed in the table above, grievous sexual assault had the highest proportion of male offenders with 66.67%, while disorderly conduct had the highest proportion of female offenders also with 66.67% of the sample.

Chart 1.0: Distribution of charges by gender for the third quarter ended September 30, 2020.

Gender Distribution

34, 32.08%

72, 67.92%
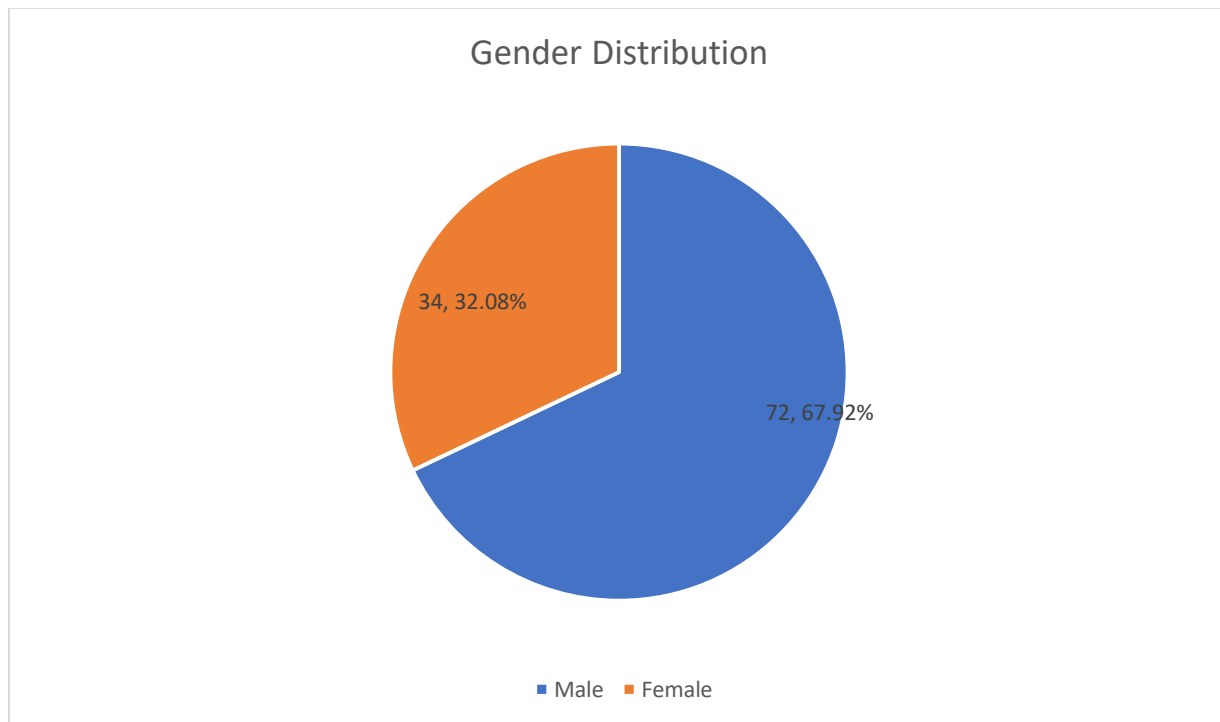
■ Male ■ Female

The above chart shows the distribution of charges filed by gender, using a sample of 106 matters. Males account for the higher proportion of matters with 67.92%, while females accounted for 32.08% of matters filed.

Table 2.0: Breakdown of leading charges by gender in the third quarter ended September 30, 2020.

Charges	Male		Female		Total
	count	%	count	%	
Assault occasioning bodily harm	7	53.85%	6	46.15%	13
Grievous sexual assault	4	66.67%	2	33.33%	6
Disorderly conduct	2	33.33%	4	66.67%	6
Buggery	5	100.00%	0	0.00%	5
Sexual intercourse with a person under 16	5	100.00%	0	0.00%	5
Indecent assault	4	80.00%	1	20.00%	5
Breach of Curfew Order	4	100.00%	0	0.00%	4
Illegal possession of firearm	3	100.00%	0	0.00%	3
Assaulting a constable	2	100.00%	0	0.00%	2
Illegal possession of ammunition	2	100.00%	0	0.00%	2

The above tables summarize the distribution of the leading charges filed by gender in the third quarter of 2020. Males are especially dominant with the charges of sexual intercourse with a person under 16 years old, buggery, illegal possession of firearm, illegal possession of ammunition, assaulting a constable and breach of curfew orders, with all accounting for 100% of the matters. As it relates to females charged, the charge with the highest frequency was disorderly conduct with 4 or 66.67% of the total sample.

Table 3.0: Descriptive statistics on the age of offenders for the quarter ended September 30, 2020.

Descriptive statistics (in years)

|	
Number of observations	89
Mean	16.19
Std. Error of Mean	.170
Median	16.00
Mode	16
Std. Deviation	1.602
Skewness	-.897
Std. Error of Skewness	.255
Range	6
Minimum	12
Maximum	18

The above descriptive statistics provide a statistical summary of the ages of persons charged in a sample of 89 criminal matters handled in the third quarter of 2020. It is seen that the overall average age is roughly 16 years. The oldest person charged was 18 years and the youngest 12. The median and modal ages were both 16 years old. The low standard deviation is an indication that the ages of persons charged did not on average vary widely from the overall mean age while the negative skewness is an indication that there were slightly more scores in the data set that are above the series mean.

Table 4.0: Courtroom/outstation sampling distribution for new matters heard in the third quarter ended September 30,2020.

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	108	100.00
Total	**108**	**100.0**

It is shown in the above table that all criminal cases heard at the Corporate Area Family Court in the third quarter of 2020 took place in the Children's court.

Chart 2.0: Sampling distribution of custody incidence for new matters filed in the third quarter ended September 30,

Custody Incidence

25, 25.25%

74, 74.75%

■ No ■ Yes
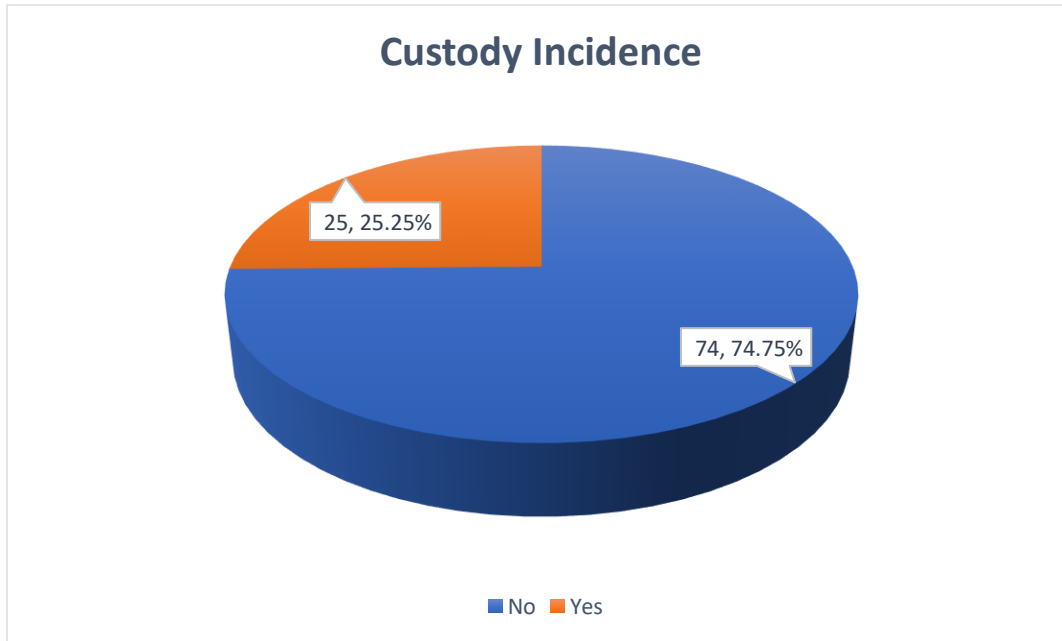
A sample of 99 juveniles brought before the Corporate Area Family Court for criminal proceedings in the third quarter of 2020 revealed that the majority 74 or 74.75% were not taken into custody, while the remaining 25 or 25.25% were taken into custody.

Chapter 2.0: Case Activity on Child Welfare Matters (A Division of the Children's Court)

This section examines case activity for matters classified as child welfare in the Corporate Area Family Court in the third quarter of 2020. Matters under the general case type category classified as child welfare includes uncontrollable child and childcare and protection.

Table 1.0: Distribution of Child Welfare matters handled at the Corporate Area Family Court in the third quarter ended September 30, 2020

Number of matters handled	Matters active	Matters disposed	Inactive matters
103	48	54	1

The above table details the outcome of 103 child welfare matters, which were handled by the Family Court in the Corporate Area in the third quarter of 2020. At the end of the quarter, 48 matters were still active and 54 were disposed. The remaining 1 matter was inactive at the end of the quarter.

Table 2.0a: Distribution of new child welfare cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2020

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
30	19	11	0	36.67

The above data shows that 30 child welfare cases were filed in the third quarter of 2020, of which 11 were disposed and 19 were still active at the end of the quarter. This produced an estimated case disposal rate of 36.67% for these types of cases.

2.0b: Clearance rate summary for the Corporate Area Family Court for the third quarter ended September 30, 2020

New Child Welfare cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
30	1	48	163.33

The above Table shows that there was an aggregate of 49 child welfare cases disposed in the third quarter of 2020 at the Corporate Area Family Court, 48 of which were disposed, and 1 case became inactive. This produced an impressive estimated case clearance rate of 163.33%, which exceeds the international standard.

Table 3.0: Sampling distribution of the types of child welfare matters filed in the third quarter ended September 30, 2020

Types of Cases	Frequency	Percentage (%)
Child Care and Protection	26	72.22
Uncontrollable Child	10	27.78
Total	**36**	**100.00**

A sample of 36 child welfare matters filed in the third quarter of 2020 revealed that the larger proportion of cases filed were childcare and protection matters with 26 or 72.22% of the sample, while matters of uncontrollable child with 10 or 27.78% accounted for the remaining proportion.

Table 4.0: Sampling distribution of the reasons for adjournment/continuance for child welfare matters heard in the third quarter of 2020

Types of cases	Frequency	Percentage (%)
Social Enquiry Report Outstanding	23	46.00
Adjournment for Institutional Reports	15	30.00
Adjourned for psychiatric evaluation	3	6.00
Absenteeism of Applicant	2	4.00
Absenteeism of Respondent	1	2.00
Other	6	12.00
Total	**50**	**100.00**

Sample size (n) =50

The above table is derived from a sample of 50 adjournments heard in the third quarter of 2020;

the largest share, 23 or 46% were due to Social Enquiry Reports outstanding, followed by

adjournments for institutional reports with 15 or 30% and adjournments for psychiatric

evaluation with 3 or 6%. Adjournments due to the absenteeism of applicants accounted for 2 or

1.77% and the absenteeism of applicants accounted for 2% of the adjournments.

Table 4.0b: Sampling distribution of mention court frequency for child welfare matters heard in the quarter ended September 30, 2020

Descriptive statistics

Number of observations	99
Mean	2.6061
Std. Error of Mean	.16232
Median	2.0000
Mode	1.00
Std. Deviation	1.61510
Skewness	.814
Std. Error of Skewness	.243
Range	6.00
Minimum	1.00
Maximum	7.00

The above table displays the descriptive statistics on mention court frequency for 99 child welfare matters at the Corporate Area Family Court in the third quarter of 2020. It is seen that the average number of mentions per case is roughly 2.6, an indication that for every 10 cases there were 26 mentions. The median time stood at 2 mentions and modal number of mentions stood at 1. The maximum number of mentions per matter in the quarter were 7 mentions, while the minimum was 1 mention. The standard deviation is moderate, an indication that there is some variation in the mention court frequency of individual cases. The positive skewness is an indication that the higher proportion of the scores in the data set fell below the average. These outputs are within the prescribed maximum rate of 5 mentions per matter, based on international best practices.

Table 5.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2020

Method of Disposition	Frequency	Percentage (%)
Struck out	5	9.80
Transferred	3	5.88
Withdrawn	1	1.96
Other Methods	42	82.35
Total	**51**	**100.00**

The above table summarizes the methods of disposition for a sample of 51 child welfare matters in the third quarter of 2020. Aside from the category "other methods", it is seen that matters struck out accounted for 5 or 9.80% of the sample of dispositions. Matters transferred to another court accounted for 3 or 5.88% and matters withdrawn with 1.96% of the sample rank next.

Table 6.0: Sampling distribution of the times to disposition for child welfare matters for the third quarter ended September 30, 2020

Descriptive statistics (in days)

Number of observations	41
Mean	174.9756
Std. Error of Mean	14.33742
Median	174.0000
Mode	229.00
Std. Deviation	91.80427
Skewness	.795
Std. Error of Skewness	.369
Range	432.00
Minimum	6.00
Maximum	438.00

The above table provides a descriptive statistical summary of the times taken to dispose of child welfare cases in the third quarter of 2020. It is shown that from a sample of 41 cases disposed in the quarter, the average time to disposition was 175 days or roughly 5.8 months. The maximum time taken to dispose of the cases used in this sample was 438 days, while the lowest time taken was 6 days. The overall standard deviation of approximately 92 days was moderate, indicating there was some amount of variation in the times to disposition. This is affirmed by the positive skewness, indicating a leaning towards the lower times to disposition.

Case initiation and case demographics –Child Welfare matters in the third quarter ended September 30, 2020

In this subsection of the report, there is an examination of the case party demographics for the cases which had some activity in the third quarter of 2020.

Chart 1.0: Sampling distribution of the gender of children associated with cases handled for the third quarter ended September 30, 2020
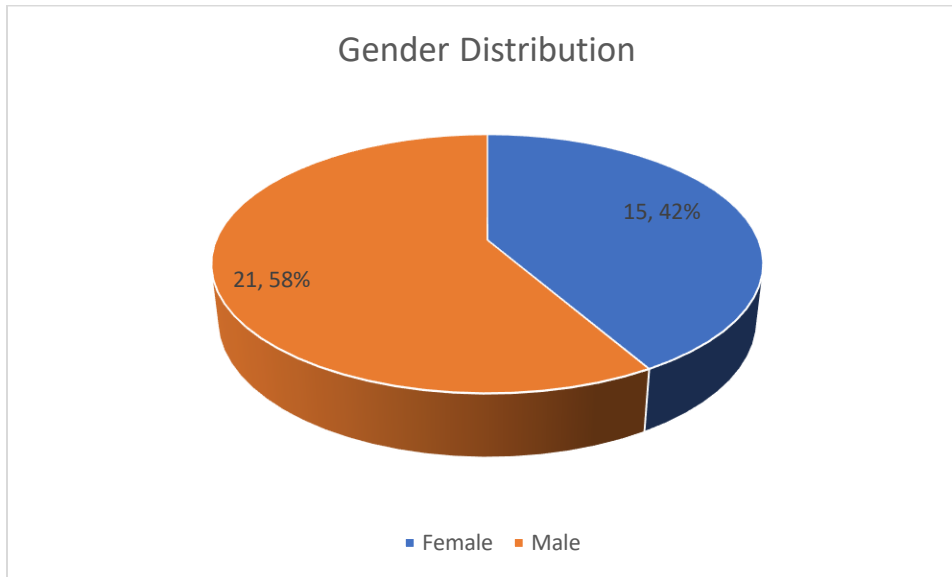
The above chart shows that 58% of a sample of 36 children involved in child welfare cases filed were male, with females accounting for 42% of the sample.

Table 7.0: Distribution of cases by courtroom/outstation assignment for the third ended September 30, 2020

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	36	100.00
Total	**36**	**100.00**

The above table shows the distribution of 36 child welfare matters filed by courtroom of assignment. It is shown that Children's Court accounted for all the accommodations in the sample.

Chapter 3.0: Case Activity on Family Matters

This section examines case activity for matters classified as Family Matters in the Corporate Area Family Court in the third quarter of 2020. Matters under the general case type category classified as family matters includes adoption, maintenance, custody and declaration of paternity matters.

Table 1.0: Distribution of family matters handled at the Corporate Area Family Court in the third quarter ended September 30, 2020

Number of matters handled	Matters active	Matters disposed	Inactive matters
1180	566	496	118

The above table details the outcome of the 1180 Family matters, which were handled by the Corporate Area Family Court in the third quarter of 2020. At the end of the quarter, 566 matters were still active and 496 were disposed. There remaining 118 matters were inactive at the end of the quarter.

Table 2.0a: Distribution of new family cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2020

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
390	328	53	9	15.90

The above data shows that 390 family cases were filed in the third quarter of 2020, of which 53 were disposed, 9 became inactive and 328 were still active at the end of the quarter. This produced an estimated case disposal rate of 15.90% for these types of cases.

2.0b: Clearance rate summary for the Family Courts for the third quarter ended September 30, 2020

New Family cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
390	72	332	103.59

The above Table shows that there was an aggregate of 390 new family cases filed in the third quarter of 2020 at the Corporate Area Family Court while 332 of which were disposed, and 72 cases became inactive in the quarter. This produced an estimated case clearance rate of 103.59%, which satisfies the international standard.

Table 3.0: Sampling distribution of the types of family matters filed in the third quarter ended September 30, 2020

Types of cases	Frequency	Percentage (%)
Maintenance	257	44.31
Custody	190	32.76
Declaration of paternity	124	21.38
Adoption	9	1.55
Total	**580**	**100.00**

A sample of 580 matters filed at the Corporate Area Family Court in the third quarter of 2020 revealed that the largest proportion of cases filed were maintenance matters with 257 or 44.31% of the sample. This was followed by 190 or 32.76%, which were custody matters and 124 or 21.38% which were matters of declaration of paternity. Adoption matters accounted for remaining 1.5% of the sample.

Table 4.0: Sampling distribution on the reasons for adjournment/continuance for family matters heard in the third quarter of 2020

Types of Cases	Frequency	Percentage (%)
Absenteeism of Applicant	75	11.01
Absenteeism of Respondent	57	8.37
Deoxyribonucleic Acid (DNA) Results Outstanding	43	6.31
Social Enquiry Report Outstanding	33	4.85
Adjourned for counselling	23	3.38
Sub-total	**231**	**33.92**

Sample size (n) =681

The above table is derived from a sample of 681 adjournments heard in the third quarter of 2020; the largest share, 75 or 11.01% were due to absenteeism of applicants, followed by adjournments due to the absenteeism of respondents with 57 or 8.37% and adjournments for Deoxyribonucleic Acid (DNA) results outstanding with 43 or 6.31%. Social Enquiry Report outstanding with 33 or 4.85% and matters adjourned for counselling with 23 or 3.38% rank next. The listed reasons for adjournment account for 33.92% of the sample used.

Table 4.0b: Sampling distribution of mention court frequency for family matters heard in the quarter ended September 30, 2020

Descriptive statistics

Number of observations	1151
Mean	3.7298
Std. Error of Mean	.08196
Median	3.0000
Mode	2.00
Std. Deviation	2.78052
Skewness	2.042
Std. Error of Skewness	.072
Range	22.00
Minimum	1.00
Maximum	23.00

The above table displays the descriptive statistics on mention court frequency for 1151 family matters at the Corporate Area Family Court in the third quarter of 2020. It is seen that the average number of mentions per case is roughly 3.7, an indication that for every 10 cases there were 37 mentions. The median time is 3 and modal number of mentions stood at 2. The maximum number of mentions per matter in the quarter was 23, while the minimum was 1 mention. The standard deviation is relatively large, an indication that there is some amount of variation in the mention court frequency of individual cases. The positive skewness is an indication that the vast proportion of the scores in the data set fell below the average. This result is within the prescribed maximum rate of 5 mentions per matter, based on international best practices.

Table 5.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2020

Method of Disposition	Frequency	Percentage (%)
Struck out	274	55.69
Granted	150	30.49
Withdrawn	57	11.59
Denied	9	1.83
Other	1	0.20
Transferred	1	0.20
Total	**492**	**100.00**

The above table summarizes the methods of disposition for a sample of 492 family matters in the third quarter of 2020. It is shown in the sample that the largest proportion of matters were disposed by being struck, accounting for 274 or 55.69% of the sample of disposed matters. This

was followed by applications granted with 150 or 30.49% of the sample. Matters withdrawn with

57 or 11.59% and applications denied with 9 or 1.83% of the sample rank next.

Table 6.0: Sampling distribution of the times to disposition for family matters for the third quarter ended September 30, 2020
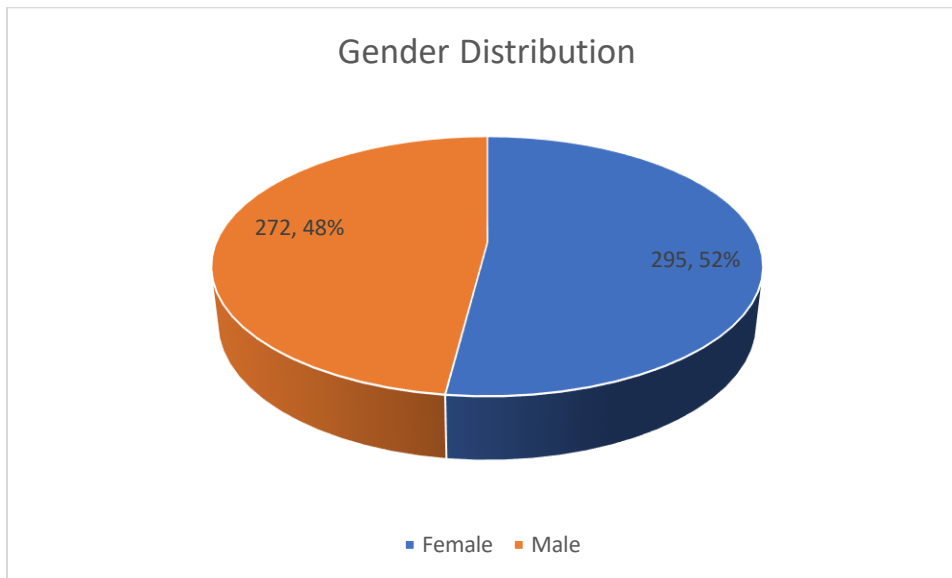
Descriptive statistics (in days)

Number of observations	156
Mean	228.9551
Std. Error of Mean	39.76759
Median	145.0000
Mode	154.00
Std. Deviation	496.69708
Skewness	5.138
Std. Error of Skewness	.194
Range	3460.00
Minimum	1.00
Maximum	3461.00

The above table provides a descriptive statistical summary of the times taken to dispose of family

cases at the Family Court in the Corporate Area in the third quarter of 2020. It is shown that from

a sample of 156 cases disposed in the quarter, the average time to disposition was 229 days or

roughly 7.6 months. The maximum time taken to dispose of the cases used in this sample was

3461 days or 9.6 years, while the lowest time taken was 1 day. The overall standard deviation of

approximately 497 days was quite high, indicating a wide variation in the times to disposition.

This is affirmed by the acutely high positive skewness, indicating a decisive leaning towards the

lower times to disposition.

Case initiation and case demographics –Family matters in the third quarter ended September 30, 2020

In this subsection of the report, there is an examination of the case party demographics for the

cases which had some activity in the third quarter of 2020.

Chart 1.0: Sampling distribution of the gender of children involved in cases handled during the third quarter ended September 30, 2020

The above chart shows that 52% of a sample of 255 children involved in family matters filed were

female, with males accounting for 48% of the sample.

Table 7.0: Descriptive statistics on age distribution of children involved in family cases filed in the third quarter ended September 30, 2020

Descriptive statistics (in years)

Number of observations	567
Mean	7.9489
Std. Error of Mean	.37909
Median	6.0000
Mode	1.00
Std. Deviation	9.02681
Skewness	3.036
Std. Error of Skewness	.103
Range	58.00
Minimum	.00
Maximum	58.00

The table above shows the descriptive statistics on a sample of age of parties involved in cases for family case types for the third quarter ended September 30, 2020. It is shown that from a sample of 567 matters that the average age was 7.9 years. The maximum age in this sample was 58 years, while the age was less than a year. The overall standard deviation of approximately 9 years was quite high, indicating a wide variation in the ages in the distribution. This is affirmed by the high positive skewness, indicating a decisive leaning towards the lower ages in the distribution.

Table 8.0: Distribution of cases by courtroom/outstation assignment for the third quarter ended September 30, 2020

Courtroom/Outstation	Frequency	Percentage (%)
Courtroom #3 (main courthouse)	254	43.79
Courtroom #1 (main courthouse)	174	30.00
Courtroom #2 (main courthouse)	147	25.34
Gordon Town Outstation	5	0.86
Total	**580**	**100.00**

The above table shows the distribution of family matters filed by courtroom of assignment. It is shown that courtroom 3 at the main courthouse with 254 or 43.79% of the matters accounted for the highest proportion of cases heard, with courtroom 1 at the main courthouse with 174 or 30% of the cases is ranking next. Courtroom 2 with 147 or 25.34% of the sample and the Gordon Town outstation with 5 or 0.86% round off the accommodations in the sample.

Chapter 4.0: Summary of case activity for domestic violence matters filed in the third quarter ended September 30, 2020

The below subsection provides a basic summary of case activity for domestic violence cases filed at the Family Court in the Corporate Area in third quarter of 2020.

Table 1.0: Summary of matters filed in the third quarter ended September 30, 2020

New matters filed	Matters active	Matters inactive	Matters disposed
542	240	246	56

The above table shows that 542 domestic violence matters were filed in third quarter of 2020, 240 of which were still active at the end of the quarter. Of the matters filed, 246 were disposed and 56 were inactive at the end of the quarter. Table 2.0 provides further analysis of the equivalent number of domestic violence cases filed and the case disposal rates.

Table 2.0a: Summary of case activity for the third quarter ended September 30, 2020

New cases filed	Active cases	Inactive cases	Disposed cases	Case Disposal Rate (%)
194	115	26	53	40.72

An equivalent number of 194 new domestic violence cases were filed in the third quarter of 2020, of which 115 were active, 26 were inactive and 53 were disposed at the end of the quarter. This produces an estimated disposal rate of 40.72% for the quarter.

Table 2.0b: Summary of gross case activity for the third quarter ended September 30, 2020

New Domestic Violence cases filed	Gross number of Inactive cases	Gross number of Disposed cases	Clearance Rate (%)
194	43	199	124.74

The data above shows that there was a total of 242 domestic violence cases which were either disposed or became inactive in the third quarter of 2020 at the Corporate Area Family Court. This produces an estimated case clearance rate of 124.74% for the quarter, which satisfied the international standard.

Table 3.0: Sampling distribution of domestic violence cases disposed in the third quarter ended September 30, 2020

Descriptive Statistics (days)

Number of observations	69
Mean	91.9855
Std. Error of Mean	6.38310
Median	91.0000
Mode	189.00
Std. Deviation	53.02205
Skewness	.300
Std. Error of Skewness	.289
Range	182.00
Minimum	7.00
Maximum	189.00

The above table shows that the average time taken to dispose of a sample of 69 matters in the third quarter of 2020 was roughly 92 days or 3.1 months. The standard deviation of 53 days is

moderate, indicating that there's a moderate dispersion of the individual times in the data set.

The skewness of the data is a small positive, which is an indication that only a small number of

the observations fell below the overall mean score. The maximum time taken to dispose of these

matters was 189 days or 6.3 months, while 7 days was the lowest time.

Table 4.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2020

Method of Disposition	Frequency	Percentage (%)
Struck out	125	50.81
Granted	61	24.80
Withdrawn	48	19.51
Denied	7	2.85
Other	4	1.63
Transferred	1	0.41
Total	**246**	**100.00**

The above table summarizes the methods of disposition for a sample of 246 domestic violence

matters disposed in the third quarter of 2020 at the Corporate Area Family Court. It is seen that

matters struck out account for the largest share with 125 or 50.81% of the sample. This was

followed by applications granted with 61 or 24.80% and matters withdrawn with 48 or 19.51%.

Applications denied with 7 or 2.85% of the sample rank next.

Aggregate summary of case activity for matters filed in the third quarter of 2020 at the Corporate Area Family Court

Table 1.0a: Summary of new case activity for cases in the third quarter ended September 30, 2020

Aggregate New cases filed	Number of active cases	Number of Inactive cases	Number of Disposed cases	Weighted Case Disposal Rate (%)
665	503	36	126	24.36

The above table provides a summary of total case activity cross all business lines at the Corporate Area Family Court for the third quarter of 2020. It is shown that there were a total of 665 new cases filed, of which 126 were disposed and 36 became inactive, thereby producing an estimated weighted case disposal rate of 24.36% in the quarter across all case types. Domestic Violence cases with a case disposal rate of 40.72%, family division cases with a disposal rate of 15.90%, child welfare cases with a disposal rate of 36.67% and criminal cases with a rate of 19.61% completes the distribution of the case disposal rates across the macro case units.

Table 1.0b: Summary of aggregate case activity for cases in the third quarter ended September 30, 2020

Aggregate New cases filed	Gross number of Inactive cases	Gross number of disposed cases	Weighted Case Disposal Rate (%)
665	128	669	119.85

The above table shows that the Corporate Area Family Court disposed of 669 cases in the second quarter of 2020, while 128 cases became inactive. This produces an estimated weighted clearance rate of 119.85% across all the case types in the third quarter of 2020. Criminal cases with 200% had the highest clearance rate, followed by child welfare cases with 163.33% and domestic violence cases with 124.74%. Family division cases had the lowest estimated clearance rate in the quarter with 103.59%. By any measure, these are quite impressive results.

Conclusion

The Corporate Area Family Court continues to produce some of the most impressive case clearance rates in the Jamaican court system. Despite a general downturn in case activity when compared to the similar period in 2019, all four the macro business units in this family court, namely family – criminal, family – child welfare, family, and domestic violence recorded case clearance rates which either satisfied or exceeded the international standard. The overall weighted average case clearance rate for this court in the third quarter was 119.85%, led by the criminal and child welfare case units with case clearance rates of 200% and 163.33% respectively. These results represent a continuation of a general trend in the Corporate Area Family Court and provide an indication that significantly more matters are currently being disposed than those filed. Despite the general downturn in court activity, the Corporate Area Family Court has managed to sustain the same pace in productivity gains observed in 2019. Further analysis of the case backlog rate in this court will be presented in the annual statistics report which will be released in the first quarter of 2021, however the anecdotal data suggests that they may rank among the courts with the lowest backlog rate. It is interesting corollary that despite the high case clearance rates, the case disposal rates recorded by this court are far less impressive, averaging only 24.36% for the quarter. Case disposal rates in the family courts which are significantly less than the case clearance rates are not however unusual based on the nature of many family court cases, compounded by practical constraints affecting the full readiness of new cases in the prevailing pandemic environment.

The Corporate Area Family Court also fared well on other key measures in the third quarter of 2020. For example, the mention court frequency for all four of its macro units recorded mean

mention court frequencies of under 5, thus satisfying the international standard. The court also had an overall average time to disposition of just over 6 months for the over 500 cases resolved across the macro business units in the third quarter.

The overall results suggest that the Corporate Area Family Court remains poised at the end of the third quarter of 2020 to make a substantial contribution to several of the key quantitative targets set out in the strategic plan of the judiciary for the next 2-4 years.

Glossary of Statistical Terms

Sampling Distribution: A sampling distribution of a given population is the distribution of frequencies of a range of outcomes that could possibly occur for a statistic of a population. A population is the entire pool from which a statistical sample is drawn.

Clearance rate: The ratio on incoming to outgoing cases or of new cases filed to cases disposed, regardless of when the disposed cases originated. For example, in a given Term 100 new cases were filed and 110 were disposed (including cases originating before that Term) the clearance rate is 110/100 or 110%.

Note: The clearance rate could therefore exceed 100% but the disposal rate has a maximum value of 100%.

A persistent case clearance rate of less than 100% will eventually lead to a backlog of cases in the court system. The inferred international benchmark for case clearance rates is an average of 90%-110 annualized. This is a critical foundation to backlog prevention in the court system. [i]

Disposal rate: As distinct from clearance rate, the disposal rate is the proportion of new cases filed which have been disposed in a particular period. For example, if 100 new cases are filed in a particular Term and 80 of those cases were disposed in said Term, then the disposal rate is 80%.

Note: A persistent case clearance rate of less than 100% will eventually lead to a backlog of cases in the court system.[ii]

Trial/hearing date certainty: This is the proportion of dates set for trial or hearing which proceed without adjournment. For example, if 100 trial dates are set in a particular Term and 40 are

adjourned, then the trial certainty rate would be 60%. The international standard for this measure is between 92% and 100%.

Courtroom utilization rate: The proportion of courtrooms in full use on a daily basis or the proportion of hours utilized in a courtroom on a daily basis. The international standard for this rate is 100%.

Case congestion rate: The ratio of pending cases to cases disposed in a given period. It is an indication of how fatigued a court is, given the existing state of resources and degree of efficiency. A case congestion rate of 150% for example, is an indication that given the resources currently at a court's disposal and its degree of efficiency, it is carrying 1.5 times its capacity.

Case File Integrity Rate: Measures the proportion of time that a case file is fully ready and available in a timely manner for a matter to proceed. Hence, any adjournment, which is due to the lack of readiness of a case file or related proceedings for court at the scheduled time, impairs the case file integrity rate. The international benchmark for the case file integrity is 100%

Standard deviation: This is a measure of how widely spread the scores in a data set are **around** the average value of that data set. The higher the standard deviation, the higher the variation of the raw scores in the data set, from the average score. A low standard deviation is an indication that the scores in a data set are clustered around the average.

Outlier: An outlier is a value that is too small or too large, relative to the majority of scores/trend in a data set.

Skewness: This is measure of the distribution of scores in a data set. It gives an idea of where the larger proportion of the scores in a data set can be found. Generally, if skewness is positive as revealed by a positive value for this measure, this suggests that a greater proportion of the scores in the data set are at the lower end. If the skewness is negative as revealed by a negative value for this measure, it generally suggests that a greater proportion of the scores are at the higher end. If the skewness measure is approximately 0, then there is roughly equal distribution of scores on both the higher and lower ends of the average figure.

Range: This is a measure of the spread of values in a data set, calculated as the highest minus the lowest value. A larger range score may indicate a higher spread of values in a data set.

Case backlog: A case that is in the court system for more than two years without disposition.

Case backlog: A case that is in the court system for more than two years without disposition. The **gross backlog rate** measures the proportion of all cases filed within a given period which remain unresolved for a period of over two years. The **net backlog rate** on the other hand measures the proportion of active cases filed in a given period which are unresolved for over two years.

Percentile Rank: This refers to the percentage of scores that are equal to or less than a given score. Percentile ranks, like percentages, fall on a continuum from 0 to 100. For example, a percentile ranks of 45 indicates that 45% of the scores in a distribution of scores fall at or below the score at the 35th percentile.

Percentile ranks are useful when you want to quickly understand how a particular score compares to the other scores in a distribution of scores. For instance, knowing a court disposed 300 cases in a given period doesn't tell you much. You don't know how many case disposals were possible, and even if you did, you wouldn't know how that court's score compared to the rest of the courts. If, however, you were told that the court scored at the 80th percentile, then you would know that this court did as well or better than 80% of the courts in case disposals.

Difference between percentage and percentile changes: The difference between percentage and percentage points, the latter is strictly used to compare two percentages, for example, if the clearance rate in 2018 was 89% and the clearance rate in 2019 is 100%, then the appropriate expression to compare these would be "an 11 percentage points increase". However, if we are comparing two absolute numbers, say, 1000 cases were disposed in 2018, and 1500 in 2019, then there would be a 50% increase in cases disposed.

Weighted Average: Weighted average is a calculation that takes into account the varying degrees of significance of the groups or numbers in a data set. In calculating a weighted average for a particular variable, the individual scores or averages for each group are multiplied by the weight or number of observations in each of those groups, and summed. The outcome is then divided by the summation of the number of observations in all groups combined. For example, if we wish to calculate the weighted average clearance rate for the parish courts, the product of the clearance rate and number of cases for each court are computed, added, and then divided by the total number of cases across all the parish courts. This means that a court with a larger caseload has a greater impact on the case clearance rate than a smaller court.

A weighted average can be more accurate than a simple average in which all numbers in a data set are assigned an identical weight.

Continuance and Adjournment: In a general sense, any delay in the progression of a hearing in which a future date/time is set or anticipated for continuation is a form of adjournment. However, in order to make a strict distinction between matters which are adjourned for procedural factors and those which are generally avoidable, court statistics utilizes the terms 'continuance' and 'adjournment'. Here, 'continuance' is used strictly to describe situations in which future dates are set due to procedural reasons and 'adjournments' is used to describe the circumstances in which future dates of appearance are set due to generally avoidable reasons. For example, adjournments for another stage of hearing, say from a plea and case management hearing to a trial hearing or from the last date of trial to a sentencing date are classified as 'continuance' but delays for say, missing or incomplete files, due to outstanding medical reports or attorney absenteeism are classified as 'adjournments'. Adjournments as defined in this document have an adverse effect on hearing date certainty rates but continuances do not.

Source:
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http://courts.mi.gov/Administration/SCAO/Resources/Documents/bestpractice/BestPracticeCaseAgeClearanceRates.pdf
[i] *Source:*
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