



Family Courts of Jamaica
The Chief Justice's Annual Statistics
Report for 2020
(Corporate Area Family Court and the Western
Regional Family Courts)

TABLE OF CONTENTS

The Chief Justice’s Message..... 3

Executive Summary 4

Introduction 7

Methodology.....9

Chapter 1.0: The Corporate Area Family Court..... 11

Chapter 2.0: The St. James Family Court 43

Chapter 3.0: The Westmoreland Family Court..... 49

Chapter 4.0: The Hanover Family Court 55

Aggregate case activity summary..... 61

Conclusion..... 62

Glossary of Terms 64

The Chief Justice's Message

Let me begin by congratulating the Family Courts for the remarkable work you have been doing in ensuring that the targets, as set out in the Strategic Plan are met. It is indeed gratifying to note that of the four specialized Family Courts for which data were collected, three (Corporate Area 112.72%; St James 107.97%; Hanover 99.54%) exceeded the international clearance rate standard which covers a range of 90% to 110%. Westmoreland Family Court had a clearance rate of 84.38%. The overall clearance rate for these courts was 102.96%. This was made possible by a court room utilization rate of over 60%.

This performance is commendable having regard to the slowing down of court operations in 2020 because of the COVID 19 pandemic. The judges and staff of these courts are recognized for their outstanding work in the face of cramped and inadequate facilities. The performance of these courts however, continue to be hampered by outstanding reports from third party agencies and absenteeism of litigants. These lead to unnecessary adjournments.

The resilience showed by these courts augurs well for the future. It is expected that with improved case flow management that is to be anchored in the new case management system which is expected to be introduced in 2021, cases will be dealt with more expeditiously.

Bryan Sykes OJ, CD

Executive Summary

This special report focussed on case activity in 2020 in the Corporate Area Family Court and the Western Regional Family Courts, comprising Westmoreland, St. James and Hanover. Despite the fact that overall court operations were constrained in 2020 due to the COVID-19 pandemic, the specialized family courts featured in this report were among the leading performing courts on some key performance metrics. By virtue of such results, these courts are shown to be contributing appreciably to the attainment of key quantitative targets set out in the strategic plan of the judiciary. Central to these targets is the creation of an efficient court system characterized by consistently high case clearance rates, low to zero case backlog, manageable case congestion rates, minimal delay in case progression and consistently high courtroom utilization rates. The statistical evidence presented in this report provides critical insights into the productivity of the named courts and suggests a generally positive path towards attaining key output targets.

As a whole, the Western Regional Family Courts and the Corporate Area Family Court recorded and estimated case clearance rate of approximately 103% in 2020, a rate which comfortably meets the international standard of an annualized rate of between 90% and 110% and suggests that together these courts resolved more cases in 2020 than the number of new cases filed. The Corporate Area Family Court recorded the highest case clearance rate among these courts with a rate of 112.71%, followed by the St. James Family Court with a rate of 107.97% and the Hanover Family Court with 99.54%, all satisfying the international standard. The Westmoreland Family Court with a case clearance rate of 83.38% during the year also performed creditably. Continuous improvements in the case clearance rate are necessary to prevent new cases from entering the backlog count and in clearing any pre-existing backlog.

The Western Regional Family Courts and the Corporate Area Family also fared reasonably well in other key performance areas in 2020 such as the courtroom utilization rate with each court ranking in the upper quintile among the courts for the year. The Corporate Area Family Court for example recorded a rate of 79%, which was one of the very highest among the courts island wide in 2020. In general, courts which sustain higher courtroom utilization rates tend to also have higher case clearance rates and lower case congestion rates in the long run.

An estimated combined figure of 7748 new cases were filed in the Western Regional Family Courts and the Corporate Area Family Court in 2020 while 7977 cases were either disposed or became inactive during the year. The St. James Family Court and the Corporate Area Family Court accounted for the highest shares of new cases filed among the featured courts with 2647 or 34.16% and 2471 or 31.89% respectively. These two courts also accounted for the highest share of disposed cases among the featured courts with St. James disposing of 2743 or 37.29% and the Corporate Area accounting for 2493 or 33.90%. The Westmoreland and Hanover locations rank third and fourth respectively on both the stock of new cases filed and cases resolved in 2020, among the featured courts.

The Family Courts as a whole continue to face challenges with delay factors such as the absenteeism of applicants and respondents for hearings as well as due to outstanding DNA results, among other factors. Strengthening the case management apparatus of these courts as well as greater levels of cooperation and efficiency from external parties and stakeholders will be useful in reducing the general incidence of delays going forward.

The Corporate Area Family Court and the Western Regional Family Courts as a whole appear to be reasonably well poised at the end of 2020 to fulfil key quantitative targets for the 2020/21 fiscal year and to produce higher output in the subsequent period.

In the coming months, the Jamaican court system is expected to benefit from the introduction of a new, advanced case management system called the Judicial Case Management System (JCMS) which is expected to dramatically improve overall operational and court productivity.

Aggregate case flow performance summary estimates for the year ended December 31, 2020

Family Court	Number of new cases	Gross Number of disposed cases	Gross number of Inactive cases	Weighted Average Case Clearance Rate (%)
Corporate Area Family Court	2471	2493	292	112.71
Hanover Family Court	873	782	87	99.54
St. James Family Court	2647	2743	115	107.97
Westmoreland Family Court	1757	1337	128	83.38
Total/Weighted Average	7748	7355	622	102.96

The above table provides a summary of aggregate case activity across the featured specialized Family Courts in the 2020 calendar year. It shows that a total of 7748 new cases were filed in these courts, while 622 became inactive and 7355 were disposed, leading to an estimated weighted case clearance rate of 102.96%. The Corporate Area Family Court recorded the highest overall weighted case clearance rate among the feature courts with 102.96%, followed by the St. James Family Court with 107.97%.

Introduction

In recent years, an electronic data capture system has been implemented in the specialized Family Courts of the Corporate Area and the Western Regional Family Courts (comprising St. James, Westmoreland and Hanover) 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 these specialized Family Courts, detailing a range of case related activities in 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 wide-ranging operational logistics involving the collection of payments and pay-outs for matters such as maintenance. The specialized 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. This report primarily focusses on open court activity for the named specialize courts. 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 explaining 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. It of note that the newly formed specialized Family Court of Trelawny and Chapleton in Clarendon are not included in this report but will appear in later reports in 2021.

Structure of Report

This 2020 annual report is subdivided into four primary chapters, the first focussing extensively on open court operations at the Corporate Area Family Court, followed by summary measures on the three specialized family courts in the Western Region, namely St. James, Westmoreland and Hanover.

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 court and the Supreme Court jurisdictions. At the parish courts, a data capture system for criminal matters, called the CISS (Case Information Statistical System) has been operational in several courts for the past 3-5 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 data validation mechanism is in place to periodically sample case files in all parish courts and the Divisions of the Supreme Court. 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 websites of the Supreme Court and the Parish Courts; however, interim data required by stakeholders may be requested through the Office of the Chief Justice.

Chapter 1.0: The Corporate Area Family Court

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 2020

This Chapter of the document will examine a range of output and performance measurements for criminal matters in the Family Court for the year ended December 31, 2020. Such will involve analyses of various statistical metrics including caseload and case type distribution, case clearance rate 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 year ended December 31, 2020

Number of charges handled	Number of active charges	Number of disposed charges	Number of inactive charges
787	203	494	90

The above table shows a sampling distribution of 787 criminal charges that were handled at the Corporate Area Family Court in 2020, representing a decrease of 236 charges or 23.07% when compared to the 1023 charges recorded in 2019. At the end of the year, 203 matters or 25.79% were still active. A matter is considered inactive when no future court date is set, as is typically the case with warrant matters. 90 or 11.44% of these charges originating during the year were inactive at the end of 2020, while 494 or 62.77% were disposed.

Table 1.0b: Sampling distribution of the status of cases handled at the Corporate Area Family Court in the year ended December 31, 2020

Number of individual cases filed	Number of active cases	Number of cases disposed	Number of inactive cases
480	114	302	64

The above table provides a sampling distribution of the case activity corresponding to the charges in the previous table. A sample of 480 criminal cases handled at the Corporate Area Family Court in 2020 is shown, 155 or 24.41% below the 635 cases recorded in 2019. Of the 480 new cases handled, 114 were still active at the end of the year, 302 were disposed and 64 were inactive. There was a ratio of 1 case to 1.64 charges handled in 2020. In other words, for every 100 cases handled, there were 164 charges. There was a ratio of 1 case to 1.61 charges recorded in 2019.

Table 1.0c: Distribution of cases statuses for new criminal cases filed at the Corporate Area Family Court in 2020

Number of new cases filed	Number of active cases	Number of inactive cases	Number of disposed cases	Case disposal rate (%)	Case clearance rate (%)
255	77	30	148	69.80	143.53

The above table provides a summary of the distribution of case statuses for criminal cases filed at the Corporate Area Family Court in 2020. Of the 255 new criminal cases filed at this court, 77 were still active at the end of the year, while 148 were disposed and 30 were inactive. This resulted in a case disposal rate of 69.80% for criminal cases filed which is 16.9 percentage points higher than the 52.29% recorded in 2019. 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 in a given period. The data presented in table 1.0b suggests that a total of

366 criminal cases were either disposed or became inactive in the year resulting in a case clearance rate of 143.53%, which is 14.14 percentage points above the rate recorded in 2019. 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 as it has yielded moderate success so far.

Table 2.0: Sampling distribution of case types for criminal charges filed at the Corporate Area Family Court for the year ended December 31, 2020

Case Type	Frequency	Percentage (%)
Committal Proceedings	133	32.20
Indictments	131	31.72
Summary	112	27.12
Petty Sessions	37	8.96
Total	413	100

The above table shows that the largest proportion of the sample of 413 criminal charges filed at the Corporate Area Family Court in 2020 were Committal Proceedings with 133 or 32.20% of the sample. Indictments accounted for 131 or 31.72% and 112 or 27.12% were summary matters. Petty Sessions with 37 or 8.96% accounted for the lowest proportion of the sample of criminal charges in 2020.

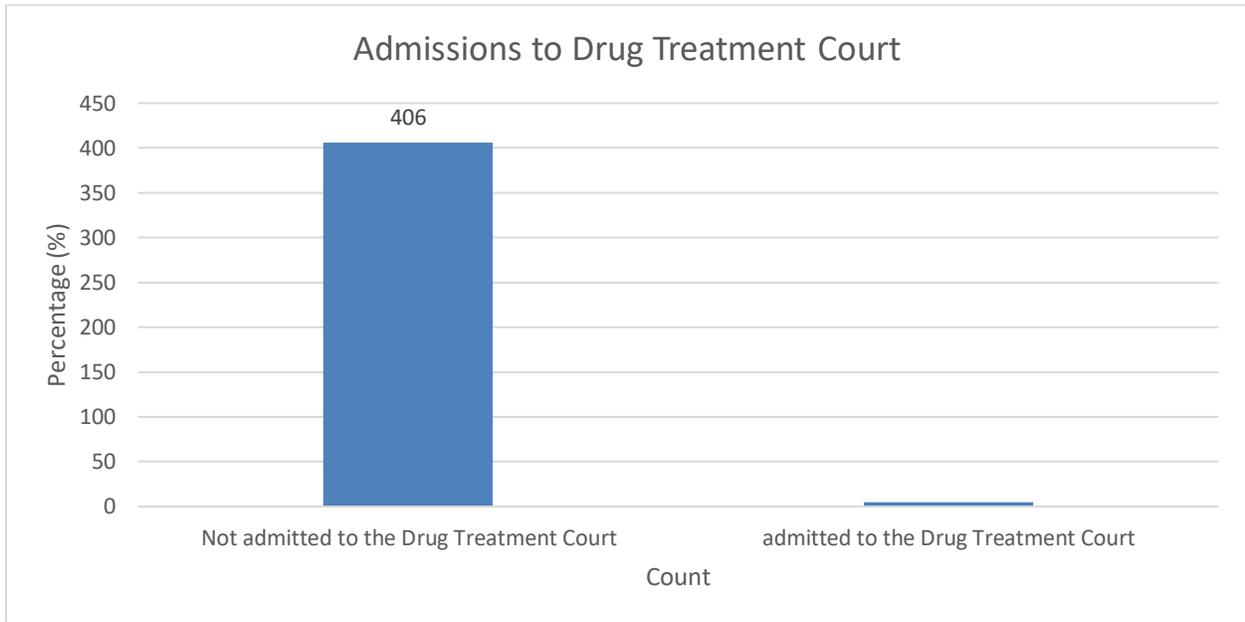
Table 3.0: Sampling distribution of the top five reasons for adjournment/continuance for matters heard in the year ended December 31, 2020

Reason for adjournment/continuance	Frequency	Percentage (%)
Social enquiry report requested	57	17.12
Nolle Prosequere to be Entered	23	6.91
Writ to issue	16	4.80
Psychiatric evaluation to be done	15	4.50
Other	143	42.94
Sub-Total	254	76.27

Total number of adjournments/continuance sampled (N) = 333

The above data highlights the sampling distribution of the five leading reasons for adjournment/continuance for criminal cases heard in the year ended December 31, of 2020 at the Corporate Area Family Court. Otherwise from the adjournments pooled under the term “other”, it is seen from a sample of 333 adjournments/continuances that social enquiry report requested accounted for the largest proportion with 57 or 17.12% while Nolle Prosequere to be entered was next, accounting for 23 or 6.91% of the sample of reasons for delay in the progression of cases at this court. Writ to issue accounted for 16 or 4.80% and psychiatric evaluation to be done with 15 or 4.50% rounds off the list. The reasons for adjournment listed above account for 76.27% of the sample of 333 reasons for adjournments. Reasons for adjournment provide critical insights into the range of both external and internal factors, which explains the delays in the court system. 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 411 children involved in matters in the Children’s Court in 2020, 406 or 98.78% were not admitted to the Drug Treatment Court, while 5 or 1.22% were admitted. 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 some cases.

Table 4.0: Sampling distribution of mention court frequency for the year ended December 31, 2020

Descriptive Statistics (months)

Number of observations	629
Mean	3.48
Std. Error of Mean	.102
Median	3.00
Mode	3
Std. Deviation	2.561
Skewness	1.978
Std. Error of Skewness	.097
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 2020. It is seen that the average number of mentions per case is roughly 3.48, an indication that for every 10 cases there were about 35 mentions. The median number of mentions and the mode were both 3. The maximum number of mentions per matter in 2020 was 19 mentions, while the minimum was 1 mention. The standard deviation is moderate, an indication that there were some variations in the mention court frequency of individual cases around the average incidence. The small positive skewness is an indication that a large proportion of the scores in the data set were clustered around the average mention court frequency; a result that is not surprising considering that the modal and median number of mentions are both 3. These results are within the prescribed maximum rate 5 mentions per matter, based on international best practices.

Table 5.0: Sampling distribution of methods of disposition for the year ended December 31, 2020

Method of disposition	Frequency	Percentage (%)
Transferred	99	21.02
Committed to Circuit	26	5.52
Guilty	18	3.82
Mediated settlement	18	3.82
Dismissed for Want of Prosecution	10	2.12
Dismissed at Request of Complainant	2	0.42
Other	298	63.27
Total	471	100.0

The above table summarizes the methods of disposition for a sample of 471 criminal charges disposed in 2020. Aside from the methods of disposition pooled under the category “other methods”, it is seen that matters transferred to another court with 99 or 21.02% accounts for the largest of disposition in 2020. Matters committed to circuit with 26 or 5.52% and guilty verdicts with 18 or 5.3.82% of the sample rank next.

Table 6.0: Sampling distribution of the types of sentencing/orders made on 2020 matters

Type of Order/Sentencing	Frequency	Percentage (%)
Probation Order	17	38.64
Withdrawn (Prosecution offers no further evidence)	11	25.00
Other	8	18.18
Correctional Order	4	9.09
Fit Person Order	2	4.55
Admonish and Discharge	1	2.27
Supervision Order	1	2.27
Total	44	100.00

It is seen in the above table that from the sample of 44 orders made in 2020, the largest proportion of 17 or 38.64% were probation orders, 11 or 25% were withdrawn (Prosecution

offers no further evidence) and the orders pooled under the category ‘other’ accounted for 18.18%, and rounded off the top 3 types of order/sentencing in 2020.

Table 7.0: Sampling distribution of times to disposition for the year ended December 31, 2020

Descriptive statistics (in days)

Number of observations	449
Mean	256.91
Std. Error of Mean	19.287
Median	173.00
Mode	111
Std. Deviation	408.689
Skewness	12.921
Std. Error of Skewness	.115
Range	7533
Minimum	4
Maximum	7537

The above descriptive statistics provide a summary of the time taken to dispose of a sample of 449 matters, which were resolved in 2020. It is seen that the average time taken to dispose of these cases was roughly 257 days or 8.6 months, while the median time was 173 days and the most frequently occurring time to disposition in the year was 111 days. The high standard deviation suggests that there is a wide variation in the individual times, while the acutely high positive skewness suggests that a significant portion of the times in the data set fall below the overall average time to disposition. The maximum time taken to dispose of these cases was roughly 7537 days 20.65 years and the minimum was 4 days. The wide dispersion of the highest score from the centre of the data set suggests that there were outlying values in the distribution.

Case Demographics

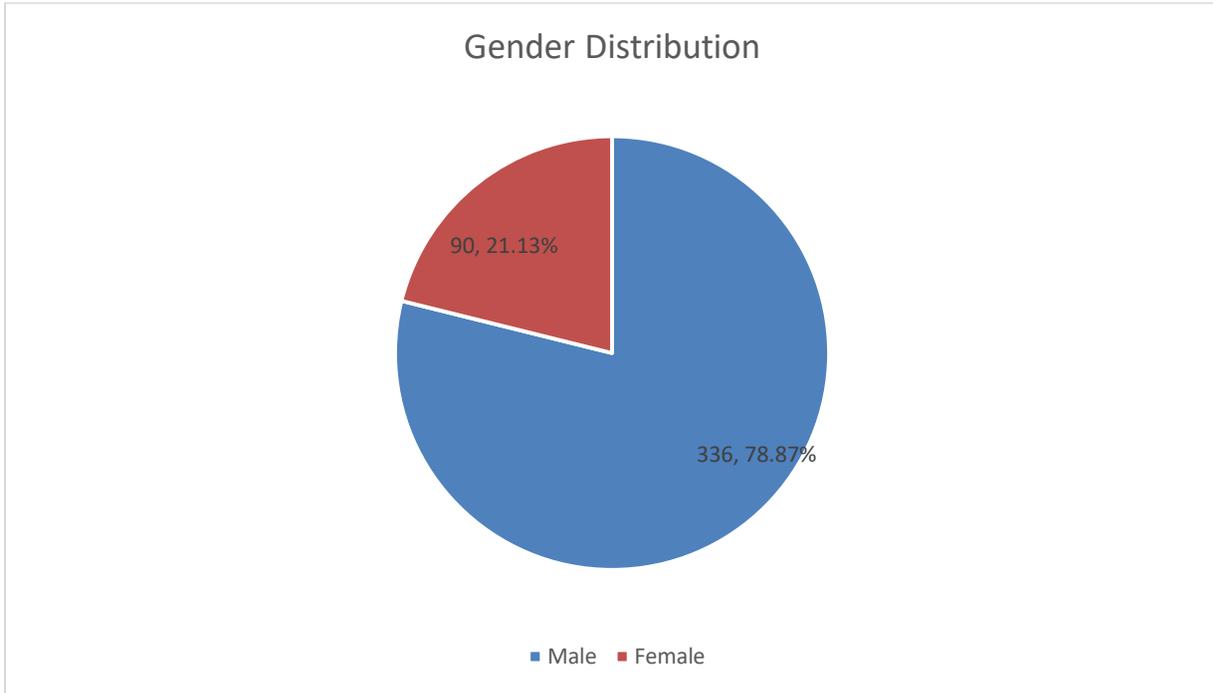
Table 1.0: Sampling distribution of the leading charges filed at the Corporate Area Family Court in 2020.

Type of charge	Frequency	Percentage (%)
Sexual intercourse with a person under 16	33	7.82
Assault occasioning bodily harm	31	7.35
Unlawful wounding	30	7.11
Grievous sexual assault	24	5.69
Indecent assault	19	4.50
Sub-Total	137	32.47

NB: Sample of offences filed in 2020 is 422

The above table provides a summary of the most frequently occurring charges in 2020 at the Corporate Area Family Court. Of a sample of 422 charges filed in 2020, it is seen that 33 or 7.82% were matters of sexual intercourse with a person under 16. This was followed by assault occasioning bodily harm with 31 or 7.35%. Unlawful wounding with 30 or 7.11% ranked next. Grievous sexual assault and indecent assault rounded off the top five leading charges with 24 or 5.69% and 19 or 4.50% of the sample respectively. Of the leading charges listed above, grievous sexual assault had the highest proportion of males with 100%, while unlawful wounding had the highest proportion of females with 48.28%.

Chart 1.0: Distribution of charges by gender for the year ended December 31, 2020



The above chart shows the distribution of charges filed by gender, using a sample of 426 matters. Males account for the overwhelming proportion of matters with 78.87%, while females accounted for the remaining 21.13% of matters filed.

Table 2.0: Breakdown of leading charges by gender in 2020

Charges	Male		Female		Total
	count	%	count	%	
Sexual intercourse with a person under 16	33	100.00%	0	0.00%	33
Assault occasioning bodily harm	18	64.29%	10	35.71%	28
Indecent assault	17	89.47%	2	10.53%	19
Unlawful wounding	15	51.72%	14	48.28%	29
Malicious destruction of property	15	88.24%	2	11.76%	17
Grievous sexual assault	14	60.87%	9	39.13%	23
Illegal possession of Firearm	14	87.50%	2	12.50%	16
Buggery	12	100.00%	0	0.00%	12
Illegal possession of ammunition	12	92.31%	1	7.69%	13
Offensive Weapon	11	91.67%	1	8.33%	12

The above tables summarize the distribution of the leading charges filed by gender in 2020 at the Corporate Area Family Court. Males are especially dominant with the charges of sexual intercourse with a person under 16 years old, buggery, illegal possession of ammunition, and offensive weapon, accounting over 90% in each case. As it relates to females charged, the charge with the highest frequency was unlawful wounding with 14 or 48.28% of the sample.

Table 3.0: Descriptive statistics on the age of persons charged for the year ended December 31, 2020

Descriptive statistics (in years)

Number of observations	326
Mean	16.5460
Std. Error of Mean	.07555
Median	17.0000
Mode	17.00
Std. Deviation	1.36417
Skewness	-.997
Std. Error of Skewness	.135
Range	8.00
Minimum	12.00
Maximum	20.00

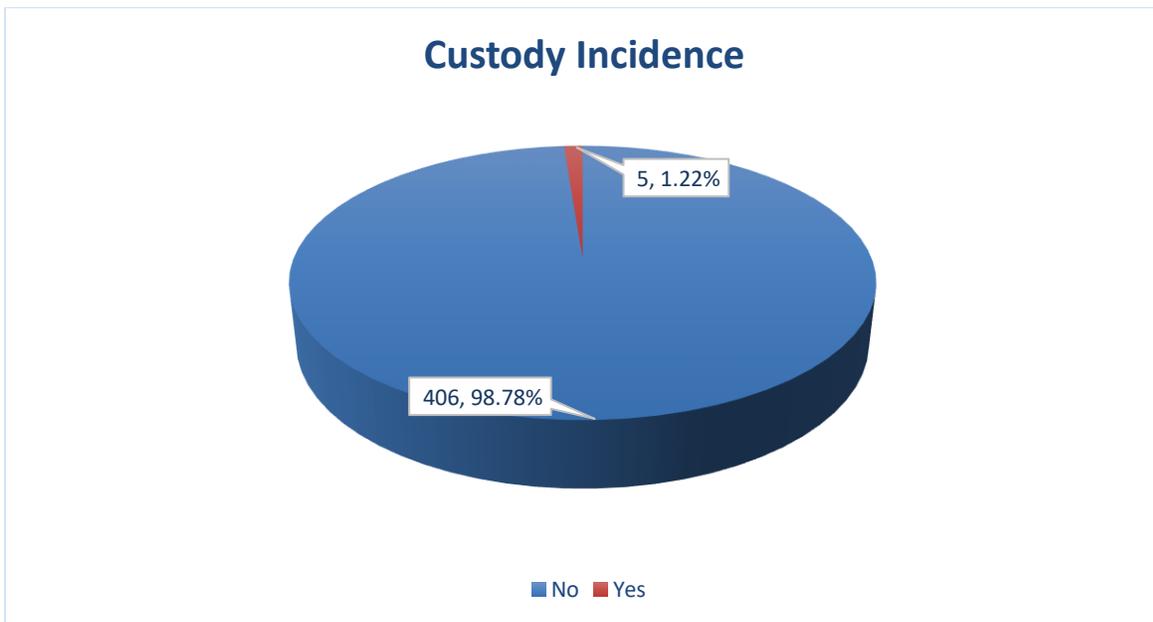
The above descriptive statistics provide a statistical summary of the ages of persons charged, using a sample of 326 criminal matters handled in 2020. It is seen that the average age is roughly 17 years. The oldest person charged was 20 years and the youngest was 12. The median age was 17 years and modal age was also 17 years old. The low standard deviation is an indication that the ages of offenders did not on average vary widely from the overall mean age. The relatively modest negative skewness is an indication that there were slightly more scores in the data set that are above the series average.

Table 4.0: Sampling distribution of courtroom allocation for new matters heard in 2020

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	437	100.00
Total	437	100.0

It is shown in the above table that all criminal cases heard at the Corporate Area Family Court in 2020 were initiated in the Children's Court. Of these 437 matters, 26 were disposed of in other courtrooms.

Chart 2.0: Sampling distribution of custody incidence for new matters filed in the year ended December 31, 2020



A sample of 411 juveniles brought before the Corporate Area Family Court for criminal proceedings in 2020 revealed that the majority 406 (98.78%) were not taken into custody, while the remaining 5 or 1.22% were taken into custody.

Section 2.0: Case Activity in Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified under the category of child welfare in the Corporate Area Family Court for the 2020 calendar year. Matters classified under this general case type category includes cases of uncontrollable child and childcare and protection. T

Table 1.0: Distribution of matters handled in the Child Welfare Division at the Corporate Area Family Court in the year ended December 31, 2020

Number of matters handled	Matters active	Matters disposed	Inactive matters
280	30	220	30

The above table details the outcome of 280 matters handled in the Child Welfare Division, which were handled by the Corporate Area Family Court in 2020. At the end of the year, 30 matters were still active and 220 were disposed. The remaining 30 matters became inactive during the year.

Table 2.0a: Distribution of new cases filed in the Child Welfare Division at the Corporate Area Family Court in the year ended December 31, 2020

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
168	24	129	15	85.71

The above data shows that 168 cases filed in the Child Welfare Division in 2020, of which 129 were disposed, 15 became inactive and 24 were still active at the end of the year. This produced a case disposal rate of 85.71% for these types of cases.

2.0b: Clearance rate summary for the Child Welfare Division of the Corporate Area Family Court for the year ended December 31, 2020

New child welfare cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
168	26	197	132.74

The above Table shows that there was an aggregate of 223 child welfare cases filed in 2020 at the Corporate Area Family Court, 197 of which were disposed, and 26 cases became inactive. This produced an impressive case clearance rate of 132.74% which exceeds the international standard.

Table 3.0: Sampling distribution of the types of matters filed in the Child Welfare Division in the year ended December 31, 2020

Types of cases	Frequency	Percentage (%)
Child Care and Protection	140	74.87
Uncontrollable Child	47	25.13
Total	187	100.00

A sample of 187 child welfare matters filed in the 2020 calendar year revealed that the larger proportion of cases filed were childcare and protection matters with 140 or 74.87% of the sample, while matters of uncontrollable child with 47 or 25.13% accounted for the remaining proportion.

Table 4.0: Reasons for adjournment/continuance for child welfare matters heard in the year ended December 31, 2020

Reasons for adjournment/continuance	Frequency	Percentage (%)
Adjournment for Institutional Reports	29	46.03
Other	19	30.16
Social Enquiry Report outstanding	14	22.22
Adjourned for psychiatric evaluation	1	1.59
Total	63	100.00

Total number of adjournments/continuance sampled (N)=63

The above table is derived from a sample of 63 adjournments/continuances heard in the 2020 calendar year; the largest share, 29 or 46.03% were due to adjournments for institutional reports, followed by adjournments pooled under the category “other”, with 19 or 30.16 and adjournments due to Social Enquiry Report outstanding with 14 or 22.22% of the sample. Adjournments for psychiatric evaluation to be done accounted for the remaining 1.59% of the adjournments.

Table 4.0b: Sampling distribution of mention court frequency for child welfare matters heard in the year ended December 31, 2020

Descriptive statistics (months)

Number of observations	253
Mean	2.9407
Std. Error of Mean	.10404
Median	3.0000
Mode	1.00
Std. Deviation	1.65485
Skewness	.858
Std. Error of Skewness	.153
Range	9.00
Minimum	1.00
Maximum	10.00

The above table displays the descriptive statistics on mention court frequency for 253 child welfare matters at the Corporate Area Family Court in the 2020 calendar year. It is seen that the average number of mentions per case is roughly 2.9, an indication that for every 10 cases there were 29 mentions. The median time was 3 mentions and the modal number of mentions stood at 1. The maximum number of mentions per matter in the year was 10, 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 series average. These results 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 year ended December 31, 2020

Method of Disposition	Frequency	Percentage (%)
Transferred	22	10.53
Withdrawn	15	7.18
Struck out	9	4.31
Granted	4	1.91
Other	159	76.08
Total	209	100.00

The above table summarizes the methods of disposition for a sample of 209 child welfare matters in the 2020 calendar year. Aside from the methods of disposition pooled under the category “other methods”, it is seen that matters disposed by being transferred to another court with 22 or 10.53% of the sample. Matters withdrawn with 15 or 7.18% of the sample rank next and

matters struck out with 4.31% and applications granted with 1.91% round off the top methods of disposition in the year.

Table 6.0: Sampling distribution of the times to disposition for child welfare matters for the year ended December 31, 2020

Descriptive statistics (in days)

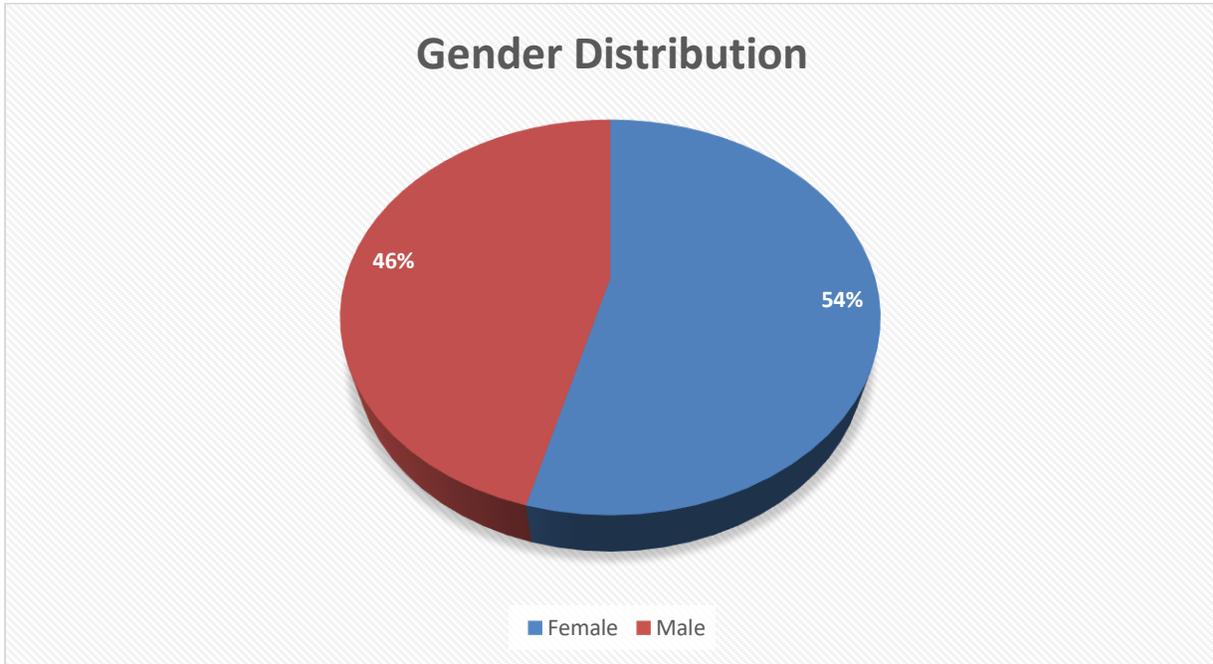
Number of observations	176
Mean	151.6534
Std. Error of Mean	7.11562
Median	134.0000
Mode	229.00
Std. Deviation	94.39933
Skewness	1.057
Std. Error of Skewness	.183
Range	476.00
Minimum	1.00
Maximum	477.00

The above table provides a descriptive statistical summary of the times taken to dispose of child welfare cases in 2020. It is shown that from a sample of 176 matters disposed in the year, the average time to disposition was 152 days or roughly 5.1 months. The maximum time taken to dispose of the cases used in this sample was 477 days, while the lowest time taken was 1 day. The overall standard deviation of approximately 94 days was moderate, indicating there was some variation in the times to disposition around the series mean. 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 year ended December 31, 2020

In this subsection of the report, there is an examination of the case party demographics for the child welfare cases which had court activity in the 2020 calendar year.

Chart 1.0: Sampling distribution of the gender of children associated with cases handled during the year ended December 31, 2020



The above chart shows that 54% of a sample of 157 children involved in child welfare cases filed was female, with males accounting for 46% of the sample.

Table 7.0: Descriptive statistics on the age of children involved in child welfare cases during the year ended December 31, 2020

Descriptive statistics (in years)

Number of observations	87
Mean	11.7126
Std. Error of Mean	.61194
Median	14.0000
Mode	15.00 ^a
Std. Deviation	5.70782
Skewness	-1.036
Std. Error of Skewness	.258
Range	18.00
Minimum	<1
Maximum	18.00

^a Multiple modes exist. The smallest value is shown

The table above shows the descriptive statistics on a sample of ages of children involved in child welfare cases during the year ended December 31, 2020. It is shown that from a sample of 87 matters, the average age was roughly years old. The maximum age in this sample was 18 years, while the minimum age was less than a year. The overall standard deviation of approximately 6 years was moderate, indicating some variation among the ages in the distribution. This is affirmed by the negative skewness which indicates a decisive leaning towards the higher ages in the distribution.

Table 8.0: Sampling distribution of child welfare matters by courtroom/outstation assignment for the year ended December 31, 2020

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	189	98.44
Courtroom #2 (main courthouse)	1	0.52
Courtroom #3 (main courthouse)	1	0.52
Gordon Town Outstation	1	0.52
Total	192	100.00

The above table shows the distribution of child welfare matters filed by courtroom of assignment. It is shown that the Children’s Court with 189 or 98.44% of the matters accounted for the highest proportion of cases while courtroom 2 at the main courthouse along with courtroom 3 and the Gordon Town outstation each with 0.52% each of the assignments complete the sample.

Section 2.0: Case Activity in the Family Division

This section examines case activity for matters classified as being under the broad category of family matters in the Corporate Area Family Court in 2020. Matters classified under the case category of family matters include maintenance, custody, guardianship, adoption and declaration of paternity matters.

Table 1.0: Distribution of family matters handled at the Corporate Area Family Court in the year ended December 31, 2020

Number of matters handled	Matters active	Matters disposed	Inactive matters
3655	1516	1965	174

The above table details the outcome of the 3655 family matters, which were handled by the Corporate Area Family Court in the 2020 calendar year. At the end of the year, 1516 matters were still active and 1965 were disposed. There remaining 174 matters were inactive at the end of the year.

Table 2.0a: Distribution of new family cases filed at the Corporate Area Family Court in the year ended December 31, 2020

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
1350	767	540	43	43.19

The above data shows that 1350 family cases were filed in the 2020 calendar year, of which 540 were disposed, 43 became inactive and 767 were still active at the end of the year. This produced an estimated case disposal rate of 43.19% for these types of cases.

2.0b: Clearance rate summary for the Family Courts for the year ended December 31, 2020

New Family cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
1350	125	1345	108.89

The above table shows that there was an aggregate of 1470 family cases which were either disposed or became inactive at the Corporate Area Family Court in 2020 broken down as 1345 disposed and 125 cases inactive cases. This produced an estimated case clearance rate of 108.89% which satisfies the international standard.

Table 3.0: Sampling distribution of the types of family matters filed in the year ended December 31, 2020

Types of cases	Frequency	Percentage (%)
Maintenance	938	45.60
Custody	685	33.30
Declaration of paternity	414	20.13
Adoption	20	0.97
Total	2057	100.00

A sample of 2057 matters filed at the Corporate Area Family Court in 2020 reveals that the largest proportion were maintenance matters with 938 or 45.60% of the sample. This was followed by 685 or 33.30%, which were custody matters and 414 or 20.13% which were matters of declaration of paternity. Adoption matters accounted for the remaining 0.97% of the sample.

Table 4.0: Sampling distribution on the reasons for adjournment/continuance for family matters heard in the year ended December 31, 2020

Reasons for adjournment/continuance	Frequency	Percentage (%)
Absenteeism of Applicant	129	16.95
Absenteeism of Respondent	95	12.48
Deoxyribonucleic Acid (DNA) Results Outstanding	47	6.18
Social Enquiry Report Outstanding	33	4.34
Other	416	54.66
Sub-total	720	94.61

Total number of adjournments/continuance sampled (N) =761

The above table is derived from a sample of 761 adjournments heard in the 2020 calendar year; otherwise from adjournments pooled under the category “other”, the largest share, 129 or 16.95% were due to absenteeism of applicants, followed by adjournments due to the absenteeism of respondents with 95 or 12.48% and adjournments for Deoxyribonucleic Acid (DNA) results outstanding with 47 or 6.18%. Social Enquiry Report outstanding with 33 or 4.34% rank next.

Table 4.0b: Sampling distribution of mention court frequency for family matters heard in the year ended December 31, 2020

Descriptive statistics

Number of observations	2675
Mean	3.4479
Std. Error of Mean	.05454
Median	3.0000
Mode	1.00
Std. Deviation	2.82085
Skewness	2.073
Std. Error of Skewness	.047
Range	24.00
Minimum	1.00
Maximum	25.00

The above table displays the descriptive statistics on mention court frequency for 2675 family matters heard at the Corporate Area Family Court in 2020. It is seen that the average number of mentions per case is roughly 3.4, an indication that for every 10 cases there were 34 mentions. The median time is 3 and modal number of mentions stood at 1. The maximum number of mentions per matter in the year was 25, 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 vast proportion of the scores in the data set fell below the series average. These results 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 year ended December 31, 2020

Method of Disposition	Frequency	Percentage (%)
Struck out	877	46.09
Granted	742	38.99
Withdrawn	190	9.98
Denied	74	3.89
Transferred	14	0.74
Other	6	0.32
Total	1903	100.00

The above table summarizes the methods of disposition for a sample of 1903 family matters resolved in the 2020 calendar year. It is shown in the sample that the largest proportion of matters were disposed by being struck out, accounting for 877 or 46.09% of the sample of disposed matters. This was followed by applications granted with 742 or 38.99% of the sample. Matters withdrawn with 190 or 9.98% and applications denied with 74 or 3.89% of the sample rank next.

Table 6.0: Sampling distribution of the times to disposition for family matters for the year ended December 31, 2020

Descriptive statistics (in days)

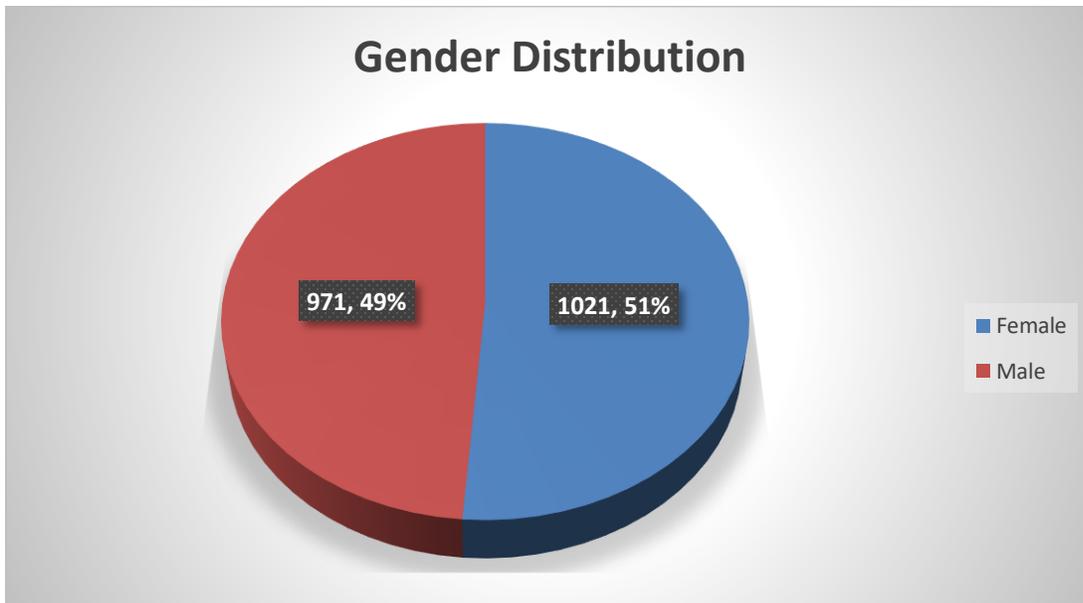
Number of observations	355
Mean	179.1521
Std. Error of Mean	19.65780
Median	140.0000
Mode	16.00
Std. Deviation	370.38125
Skewness	6.644
Std. Error of Skewness	.129
Range	3460.00
Minimum	1.00
Maximum	3461.00

The above table provides a descriptive statistical summary of the times taken to dispose of family matters at the Corporate Area Family Court in 2020. It is shown that from a sample of 355 cases disposed in the year, the average time to disposition was 179 days or roughly 6 months. The maximum time taken to dispose of the cases sampled was 3461 days or 9.6 years, while the lowest time taken was 1 day. The overall standard deviation was relatively high at approximately 370 days, indicating a wide variation in the times to disposition around the series mean. The acutely high positive skewness is an indication of a decisive leaning towards the lower times to disposition.

Case initiation and case demographics – family matters in the year ended December 31, 2020

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

Chart 1.0: Sampling distribution of the gender of children associated with cases handled in the Family Division during the year ended December 31, 2020



The above chart shows that 51% of a sample of 1992 children involved in family matters filed were female, with males accounting for 49% of the sample.

Table 7.0: Descriptive statistics on age distribution of parties involved in cases filed in the year ended December 31, 2020

Descriptive statistics (in years)

Number of observations	1990
Mean	8.3714
Std. Error of Mean	.19903
Median	6.0000
Mode	1.00
Std. Deviation	8.87879
Skewness	2.977
Error of Skewness	.055
Range	59.00
Minimum	< 1
Maximum	59.00

The table above shows the descriptive statistics on a sample of age of parties involved in cases for the family case types for the year ended December 31, 2020. It is shown that from a sample of 1990 matters that the average age was 8.4 years, heavily skewed by maintenance cases involving young children. The maximum age in this sample was 59 years, while the minimum age was less than a year. The standard deviation was relatively high, indicating a wide variation in the ages in the distribution. The relatively high positive skewness is an indication of a decisive leaning towards the lower ages in the distribution.

Table 8.0: Sampling distribution of cases by courtroom/outstation assignment for the year ended December 31, 2020

Courtroom/Outstation	Frequency	Percentage (%)
Courtroom #3 (main courthouse)	866	42.24
Courtroom #2 (main courthouse)	637	31.07
Courtroom #1 (main courthouse)	531	25.90
Gordon Town Outstation	16	0.78
Total	2050	100.00

The above table shows the distribution of 2050 family matters filed, by courtroom of assignment. It is shown that courtroom 3 at the main courthouse with 866 or 42.24% of the matters accounted for the highest proportion of cases sampled, with courtroom 2 at the main courthouse accounting for 637 or 31.07% ranking next. Courtroom 1 with 531 or 25.90% of the sample and the Gordon Town outstation with 0.78% rounds off the accommodations in the sample.

Section 4.0: Summary of case activity for Domestic Violence matters filed in the year ended December 31, 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 the 2020 calendar year.

Table 1.0: Summary of new matters filed in the year ended December 31, 2020

New matters filed	Matters active	Matters inactive	Matters disposed
837	262	61	514

The above table shows that 837 Domestic Violence new matters were filed in the 2020 calendar year, 263 of which were still active at the end of the year. There were 514 of the matters disposed

and 61 were inactive at the end of the year. 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 year ended December 31, 2020

New cases filed	Active cases	Inactive cases	Disposed cases	Case Disposal Rate (%)
698	226	55	417	67.62

An equivalent number of 698 new domestic violence cases were filed in the 2020 calendar year, of which 226 were active, 55 were inactive and 417 were disposed at the end of the year. This produces an estimated disposal rate of 67.62% for the year. This is 3.7 percentage points below the disposal rate of 71.32% recorded for the 2019 calendar year.

Table 2.0b: Summary of gross case activity for the year ended December 31, 2020

New Domestic Violence cases filed	Gross number of Inactive cases	Gross number of Disposed cases	Clearance Rate (%)
698	77	649	104.01

The data above shows that there was a total of 726 Domestic Violence cases which were either disposed or became inactive in the 2020 calendar year at the Corporate Area Family Court. This produces an estimated case clearance rate of 104.01%, which meets the international standard. This is 25.01 percentage points above the clearance rate of 79% recorded in 2019.

Table 3.0: Sampling distribution of Domestic Violence cases disposed in the year ended December 31, 2020

Descriptive Statistics (days)

Number of observations	174
Mean	106.4195
Std. Error of Mean	10.32028
Median	86.0000
Mode	189.00
Std. Deviation	136.13387
Skewness	7.629
Std. Error of Skewness	.184
Range	1532.00
Minimum	7.00
Maximum	1539.00

The above table shows that the average time taken to dispose of a sample of 174 matters in the 2020 calendar year was roughly 106 days or 3.5 months. The standard deviation of 136 days is high, indicating that there's a wide dispersion of the individual times in the data set. The skewness of the data is a high positive, which is an indication that a proportionally large number of the observations fell below the overall mean score. The maximum time taken to dispose of these matters was 1539 days or 4.3 years, while 7 days was the lowest time.

Table 4.0: Sampling distribution of the methods of disposition for the year ended December 31, 2020

Method of Disposition	Frequency	Percentage (%)
Struck out	418	52.18
Withdrawn	196	24.47
Granted	160	19.98
Denied	12	1.50
Other	11	1.37
Matters Settled	2	0.25
Successfully Mediated	1	0.12
Transferred	1	0.12
Total	801	100.00

The above table summarizes the methods of disposition for a sample of 801 domestic violence matters disposed in the 2020 calendar year at the Corporate Area Family Court. It is seen that matters struck out account for the largest share with 418 or 52.18% of the sample. This was followed by matters withdrawn with 196 or 24.47% and applications granted with 160 or 19.98%. Applications denied with 12 or 1.50% of the sample rank next.

Summary of case activity for matters filed in 2020 at the Corporate Area Family Court

Table 1.0a: Summary of new case activity for cases in the year ended December 31, 2020

Aggregate Number of new cases filed	Number of active cases	Number of Inactive cases	Number Disposed cases	Weighted disposal rate (%)
2471	1094	143	1234	55.73

The above table provides a summary of total case activity cross all business lines at the Corporate Area Family Court for the 2020 calendar year. It is shown that there was a total of 2471 new cases filed, of which 1234 were disposed and 143 became inactive, thereby producing an estimated weighted case disposal rate of 55.73% in the year across all case types. Domestic Violence cases

with a case disposal rate of 67.62%, Family cases with a disposal rate of 43.19%, and Child Welfare cases with a disposal rate of 85.71% and Criminal cases with a rate of 69.80% completes the distribution of the case disposal rates across the macro case units.

Table 1.0b: Overall summary of new case activity for cases in the year ended December 31, 2020

Aggregate Number of new cases filed	Gross number of Inactive cases	Gross number of cases disposed cases	Number of cases disposed or inactive (of those originating in 2020)	Overall weighted clearance rate (%)	Overall weighted case disposal rate (%)
2471	292	2493	1386*	112.71	56.09

*Includes 152 inactive cases

The above table shows that a grand total of 2471 new cases were filed across the business lines at the Corporate Area Family Court in 2020 while 2493 cases were disposed and 292 became inactive. This produces an estimated weighted case clearance rate of 112.71% across all the case types in the 2020 calendar year. Criminal cases with 143.53% had the highest clearance rate, followed by child welfare cases with 132.74% and family division cases with 108.89%. Domestic violence cases had the lowest estimated clearance rate in the year with 104.01%. By any measure, these are quite impressive results. The Corporate Area Family Court also recorded an overall weighted average case clearance rate of 56.09% in 2020, ranging from a low of 43.19% in the Family Division to a high of 85.71% in the Child Welfare subdivision.

Table 2.0: Sampling distribution of courtroom utilization rate for the year ended December 31, 2020

Parish Court	Average overall Courtroom Utilization Rate (%)	Highest Recorded Courtroom Utilization Rate (%)	Lowest Recorded Courtroom Utilization Rate (%)	Standard Deviation of the Courtroom Utilization Rate (%)	Average Courtroom Utilization Rate for Night Court sittings (%)	Average Number of Courtroom Adjournments Per Day
Corporate Area Court-Family	79.00	156.67	1.33	31.17	-	1

The above table details the courtroom utilization rate for the Corporate Area Family Court for the 2020 calendar year. The courtroom utilization rate provides a measurement of the proportion of available hours for open court hearings in all courtrooms (including outstations) which are utilized. If the usage of any courtroom exceeds the available hours, then the utilization rate will exceed 100% and the rate will fall below 100% if less than the available hours are utilized. The prescribed international standard for the courtroom utilization rate is 100%, which means that all hours allocated for court hearings in any court, on any given day should be utilized. The overall average courtroom utilization rate for the Corporate Area Family Court in the year was roughly 79%, which is an indication that on average roughly 79% of the available hours for court hearings in 2020 were utilized, one of the highest utilization rates in the island. The standard deviation of the courtroom utilization rates is moderate, suggesting that on average the rates did not vary widely from the overall mean.

The sample size of days used to compute the rates for each court were sufficiently large and representative. The margin of error of the courtroom utilization rates is a reliable $\pm 2.5\%$.

This report now turns to an examination of summary statistical measures for the St. James, Westmoreland and Hanover Family Courts which make up the Western Regional Family Courts.

Chapter 2.0: The James Family Court

This chapter of the document will examine a summary of selected output and performance measurements for matters in the St. James Family Court for the year ended December 31, 2020. Such will involve analyses of caseload, case type distribution, case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases in the year ended December 31, 2020

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Summary	55	113	1	207.27
Indictments	28	45	0	160.71
Committal Proceedings	14	11	0	78.57
Petty Session	11	19	0	172.73
Total/Weighted average	108	188	1	175

The above table shows that the sample of 108 criminal cases filed at the St. James Family Court in the 2020 calendar year. Of these, 55 or 50.93% were summary matters, 28 or 25.93% were indictments, 14 or 12.96% were committals and 11 or 10.19% were petty session matters. There was a total of 189 criminal cases disposed or which became inactive of during the year. Of these, 113 summary cases were disposed and 1 became inactive, 45 indictments were disposed, 11

committals were disposed and 19 petty session matters were disposed of during the year. This led to an estimated weighted clearance rate of 175% for these types of cases.

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 St. James Family Court in the 2020 calendar year. Matters falling under the child welfare subdivision are uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity in the year ended December 31, 2020

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Child Care and Protection	156	159	0	101.92
Uncontrollable Child	80	67	8	93.75
Total/Weighted average	236	226	8	99.15

There were 236 child welfare cases filed at the St. James Family Court in 2020, the larger proportion of which were childcare and protection cases which accounted for 156 or 66.10%, while cases of uncontrollable child with 80 or 33.90% accounted for the remaining proportion. A total of 226 child welfare cases were disposed while 8 became inactive during the year. 159 child care and protection cases were disposed of during the year, while 67 uncontrollable child cases were disposed. There were 8 inactive uncontrollable child cases which became inactive during the year. These results led to estimated case clearance rates of 101.92% for child care and protection cases and 93.75% for uncontrollable child cases, further yielding a weighted average case clearance rate of 99.15%, which satisfies the international standards on this vital metric.

Family matters case activity summary for the St. James Family Court in 2020

This section examines case activity for matters classified under the broad category of family matters in the St. James Family Court in the 2020 calendar year. Matters falling under this broad case category which are included in this report includes maintenance, custody, legal guardianship, access and declaration of paternity.

Table 1.0: Summary of Family case activity for cases in the year ended December 31, 2020

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Maintenance	788	911	77	125.38
Custody	493	478	23	101.62
Declaration of Paternity	140	121	0	86.43
Access	68	78	3	119.12
Legal Guardianship	12	5	0	41.67
Total/Weighted average	1501	1593	103	112.99

The 1501 new cases filed at the St. James Family Court in the 2020 calendar year revealed that the largest proportion were maintenance matters with 788 cases or 52.50%. This was followed by 493 or 32.84 which were custody cases and 140 or 9.33% which were cases of declaration of paternity. There was also 68 access cases and 12 legal guardianship cases. A total of 1696 cases falling under this broad family category were disposed or became inactive in 2020. This is broken down into 911 disposed and 77 inactive maintenance cases, 478 disposed and 23 custody cases ,121 disposed declaration of paternity cases, 78 disposed and 3 inactive access cases and 5 disposed legal guardianship cases. This led to an overall estimated weighted average case clearance rate of 112.99% for the broad family case type, led by maintenance cases with the highest rate of 125.38%, legal guardianship with 119.12% and custody with 101.62%.

Summary of Case Activity for Domestic Violence Cases in 2020 at the St. James Family Court

The below subsection provides a basic summary of case activity for Domestic Violence cases filed at the Family Court in St. James in 2020.

Table 1.0: Summary of domestic violence case activity for cases in the year ended December 31, 2020

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
644	636	3	99.22

The data above shows that there was a total of 644 new domestic violence cases filed in 2020 at the St. James Family Court. A total total 639 Domestic Violence of these cases were either disposed or became inactive during the year. This produces an estimated case clearance rate of 99.22%, which satisfies the international standard.

Summary of case activity for civil matters at the St. James Family Court

The below subsection provides a basic summary of case activity for civil matters at the St. James Family Court in 2020.

Table 1.0: Summary of civil case activity for cases in the year ended December 31, 2020

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
158	100	0	63.29

The data above shows that there was a total of 158 new civil cases filed in 2020. There were also a total 100 civil cases which were disposed of in the 2020 calendar year at the St. James Family Court. This produces an estimated case clearance rate of 63.29%, which is below the international standard.

Summary of case activity across all business lines in 2020 at the St. James Family Court

Table 1.0: Summary of case activity across all business lines in the year ended December 31, 2020

Aggregate Number of new cases filed	Number of Inactive cases	Number Disposed cases	Weighted case clearance rate (%)
2647	115	2743	107.97

The above table shows that a total of 2647 new cases were filed at the St. James Family Court in 2020, while 2743 were disposed and 115 cases became inactive. This produces an estimated weighted case clearance rate of 107.97% across all the case types in the 2020 calendar year. Criminal cases with 175% had the highest clearance rate, followed by family cases with 112.99%, Domestic violence cases with 99.22% and child welfare cases with 99.15%. Civil cases had the lowest estimated weighted average clearance rate in the year with 63.29%. By any measure, these are quite good results.

Proxy data estimates the courtroom utilization rate for the St. James Family Court in 2020 to be greater than or equal to 60%.

Chapter 3.0: Westmoreland Family Court

This chapter of the document will examine a summary of a range output and performance measurements for matters in the Westmoreland Family Court for the year ended December 31, 2020. Such will involve analyses of caseload, case type distribution and case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases in the year ended December 31, 2020

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Petty Session	47	21	5	55.32
Summary	43	43	12	127.91
Indictments	42	50	11	145.24
Committal Proceedings	17	19	3	129.41
Total/Weighted average	149	133	31	110.07

The above table shows the distribution by case type of 149 criminal cases filed at the Westmoreland Family Court in the 2020 calendar year. Of these, 47 or 31.54% were petty sessions, 43 or 28.86% were summary, 42 or 28.19% were indictments and 17 or 11.41% were committal proceedings. There was a total of 164 cases disposed or which became inactive during the year. Of these, 43 summary cases were disposed and 12 became inactive, 50 indictments were disposed and 11 became inactive, 19 committals were disposed and 3 became inactive while 21 petty sessions cases were disposed and 5 became inactive. This led to an estimated weighted clearance rate of 110.07% for these types of cases. Ranging from a high of 145.24% for indictments to a low of 55.32% for petty session matters.

Case Activity Summary on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Westmoreland Family Court in the 2020 calendar year. Matters falling under the general case type category classified as child welfare includes uncontrollable child and childcare and protection.

Table 1.0: Summary of child welfare case activity for the year ended December 31, 2020

Case type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Child Care Protection	84	80	5	101.19
Uncontrollable Child	70	73	9	117.14
Total/Weighted average	154	153	14	108.44

A sample of 154 child welfare cases filed in the 2020 calendar year revealed that the larger proportion of 84 or 54.55% were childcare and protection cases while cases of uncontrollable child with 70 or 45.45% accounted for the remaining proportion. A total of 167 child welfare cases were disposed or became inactive in 2020, 80 of which were child care and protection cases and 82 were uncontrollable child cases. This led to an estimated weighted case clearance rate of 108.44% for these types of cases.

Family matters case activity at the Hanover Family Court in 2020

This section examines primary activity for cases classified under the broad category of family matters in the Westmoreland Family Court in 2020. Matters falling under this broad category which are included in this report are maintenance, custody, legal guardianship, access and declaration of paternity.

Table 1.0: Summary of family case activity for cases in the year ended December 31, 2020

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Maintenance	433	364	13	87.07
Custody	412	232	13	59.47
Declaration of Paternity	90	110	0	122.22
Access	67	2	0	2.99
Legal Guardianship	1	1	0	100
Total/Weighted average	1003	709	26	73.28

One thousand and three new cases which were filed at the Westmoreland Family Court in the 2020 calendar year under the broad family matters case category revealed that the largest proportion were maintenance matters with 433 cases or 43.17%. This was followed by 412 or 41.10% which were custody cases and 90 or 8.97% which were cases of declaration of paternity. There were also 67 access cases and 1 legal guardianship case, rounding off the distribution of new cases filed in this category. A total of 735 cases were disposed or became inactive in 2020. This is subdivided into 364 disposed and 13 inactive maintenance cases, 232 disposed and 13 inactive custody cases, 110 disposed declaration of paternity cases, 2 disposed access cases and 1 disposed legal guardianship case. These outcomes led to an estimated overall weighted case clearance rate of 73.28% for family matters category of cases, led by a rate of 122.22% for the subcategory of declaration of paternity.

Summary of case activity for Domestic Violence cases in 2020

The below subsection provides a basic summary of case activity for Domestic Violence cases at the Westmoreland Family Court in 2020

Table 1.0: Summary of domestic violence case activity for the year ended December 31, 2020

Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
349	250	5	73.07

The data above shows that there was a total of 349 new domestic violence cases filed in 2020 at the Westmoreland Family Court. There were also a total 255 domestic violence cases which were either disposed or became inactive in 2020 at the Westmoreland Family Court. This produces an estimated case clearance rate of 73.07%, which is below the international standard.

Summary of case activity for civil matters at the Westmoreland Family Court

The below subsection provides a basic summary of case activity for civil matters at the Westmoreland Family Court in 2020.

Table 1.0: Summary of civil case activity for the year ended December 31, 2020

Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
102	92	52	141.18

The data above shows that there was a total of 102 new civil cases filed in 2020 at the Westmoreland Family Court. There was also a total of 144 civil cases which were disposed of or became inactive during the year at this court. This produces an estimated case clearance rate of 141.18%, which exceeds the international standard.

Summary of case activity across all business lines for 2020 at the Westmoreland Family Court

Table 1.0: Summary of case activity across all business lines for the year ended December 31, 2020

Aggregate Number of new cases filed	Number of Disposed cases	Number Inactive cases	Weighted clearance rate (%)
1757	1337	128	83.38

The above table shows that the Westmoreland Family Court disposed of 1337 cases in the 2020 calendar year, while 128 cases became inactive. This produces an estimated weighted clearance rate of 83.38% across all the case types in the 2020 calendar year. Civil cases with 141.18% had the highest clearance rate, followed by criminal cases with 110.07%, child welfare cases with 108.44% and the broad category of family cases with 73.28%. Domestic violence cases had the lowest estimated case clearance rate in the year with 73.07%.

Table 2.0: Sampling distribution of the courtroom utilization rate for the Westmoreland Family Court for the year ended December 31, 2020

Parish Court	Average overall Courtroom Utilization Rate (%)	Highest Recorded Courtroom Utilization Rate (%)	Lowest Recorded Courtroom Utilization Rate (%)	Standard Deviation of the Courtroom Utilization Rate (%)	Average Courtroom Utilization Rate for Night Court sittings (%)	Average Number of Courtroom Adjournments Per Day
Westmoreland Family Court	67.76	185.00	4.00	33.10	-	1.1

The above table details the courtroom utilization rate for the Corporate Area Family Court for the 2020 calendar year. The courtroom utilization rate provides a measurement of the proportion

of available hours for open court hearings in all courtrooms (including outstations) which are utilized. If the usage of any courtroom exceeds the available hours, then the utilization rate will exceed 100% and the rate will fall below 100% if less than the available hours are utilized. The prescribed international standard for the courtroom utilization rate is 100%, which means that all hours allocated for court hearings in any court, on any given day should be utilized. The overall average courtroom utilization rate for the Westmoreland Family Court in the year was roughly 68%, which is an indication that on average roughly 68% of the available hours for court hearings in 2020 were utilized. The standard deviation of the courtroom utilization rates is moderate, suggesting that on average the rates did not vary widely from the overall mean.

The sample size of days used to compute the rates for each court were sufficiently large and representative. The margin of error of the courtroom utilization rates is a reliable $\pm 2.5\%$.

Chapter 3.0: The Hanover Family Court

This chapter of the document will examine a summary of a range output and performance measurements for matters in the Hanover Family Court for the year ended December 31, 2020. Such will involve analyses of caseload, case type distribution and case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases in the year ended December 31, 2020

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases
Committal Proceedings	20	4	0
Indictments	24	11	9
Summary	36	15	0
Petty Session	21	12	1
Total	101	42	10

The above table shows the distribution by case type for 101 criminal cases filed at the Hanover Family Court in 2020. Of these, 21 or 20.79% were petty sessions, 36 or 35.64% were summary matters, 24 or 23.76% were indictments and 20 or 19.80% were committal proceedings. There was a total of 52 cases disposed or which became inactive during the year. Of these, 15 summary cases were disposed, 11 indictments were disposed and 9 became inactive, 4 committals were disposed and 12 petty session cases were disposed. This led to an estimated weighted clearance rate of 51.49% for criminal cases at the Hanover Family Court in 2020, ranging from a high of 83.33% for indictments to a low of 20% for committal proceedings.

Case Activity Summary on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Hanover Family Court in the 2020 calendar year. Matters falling under the general case type category classified as child welfare includes uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity for the year ended December 31, 2020

Case type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Child Care Protection	60	34	2	60
Uncontrollable Child	32	24	1	78.13
Total/Weighted average	92	58	3	66.30

A sample of 92 child welfare cases filed in the 2020 calendar year revealed that the larger proportion of 60 or 65.22% were childcare and protection cases while cases of uncontrollable child with 32 or 34.78% accounted for the remaining proportion. A total of 61 child welfare cases were disposed or became inactive in 2020, 36 of which were child care and protection cases and 25 were uncontrollable child cases. This led to an estimated weighted case clearance rate of 66.30% for child welfare cases as a whole in 2020.

Family matters case activity at the Hanover Family Court in 2020

This section examines primary activity for cases classified under the broad category of family matters in the Hanover Family Court in 2020. Matters falling this broad case category which are included in this report are maintenance, custody, legal guardianship, access and declaration of paternity matters.

Table 1.0: Summary of case activity for family matters in the year ended December 31, 2020

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases
Custody	161	134	5
Declaration of Paternity	36	35	1
Access	10	14	0
Legal Guardianship	1	5	0
Maintenance	187	274	16
Total	395	462	22

Three hundred and ninety-five new cases which were filed at the Hanover Family Court in the 2020 calendar year under the broad family matters case category revealed that the largest proportion were maintenance matters with 187 cases or 47.34%. This was followed by 161 or 40.76% which were custody cases and 36 or 9.11% which were cases of declaration of paternity. There were also 10 access cases and 1 legal guardianship case, rounding off the distribution of new cases filed in this category. A total of 462 cases were disposed or became inactive in 2020. This is subdivided into 274 disposed and 16 inactive maintenance cases, 134 disposed and 5 inactive custody cases, 35 disposed and 1 inactive declaration of paternity cases, 14 disposed access cases as well as 5 disposed legal guardianship cases. These outcomes led to an estimated overall weighted case clearance rate of 122.53% for the family matters category of cases.

Summary of Case Activity for Domestic Violence Cases in 2020

The below subsection provides a basic summary of case activity for domestic violence cases at the Hanover Family Court in 2020

Table 1.0: Summary of domestic violence case activity for the year ended December 31, 2020

Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
229	170	2	75.11

The data above shows that there was a total of 229 new domestic violence cases filed in 2020 at the Hanover Family Court. There were also a total 172 domestic violence cases which were either disposed or became inactive in 2020 at the Hanover Family Court. This produces an estimated case clearance rate of 75.11%, which is below the international standard.

Summary of case activity for civil matters at the Hanover Family Court

The below subsection provides a basic summary of case activity for civil matters at the Hanover Family Court in 2020.

Table 1.0: Summary of civil case activity for the year ended December 31, 2020

Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
56	50	2	92.86

The data above shows that there was a total of 56 new civil cases filed in 2020 at the Hanover Family Court. There was also a total of 52 civil cases which were disposed of or became inactive during the year at this court. This produces an estimated case clearance rate of 92.86%, which satisfies the international standard.

Summary of case activity across all business lines for 2020 at the Hanover Family Court

Table 1.0: Summary of case activity across all business lines for the year ended December 31, 2020

Aggregate Number of new cases filed	Number of Disposed cases	Number Inactive cases	Weighted clearance rate (%)
873	782	87	99.54

The above table shows that 873 new cases were filed at the Hanover Family Court across the case types samples, while 782 cases were disposed and 87 became inactive. This produces an estimated weighted clearance rate of 99.54% across all the case types in the 2020 calendar year. The family category of cases with 122.53%% had the highest clearance rate, followed by civil cases with 92.86%, domestic violence cases with 75.11%, child welfare cases with 66.30% and criminal cases with 51.49%.

Courtroom Utilization Rate Summary

Table 1.0: Sampling distribution of courtroom utilization rate for the Hanover Family Court for the year ended December 31, 2020

Parish Court	Average overall Courtroom Utilization Rate (%)	Highest Recorded Courtroom Utilization Rate (%)	Lowest Recorded Courtroom Utilization Rate (%)	Standard Deviation of the Courtroom Utilization Rate (%)	Average Courtroom Utilization Rate for Night Court sittings (%)	Average Number of Courtroom Adjournments Per Day
Hanover Family Court	68.49	150.67	10.00	34.23	-	1.1

The above table details the courtroom utilization rate for the Hanover Area Family Court for the 2020 calendar year. The courtroom utilization rate provides a measurement of the proportion of available hours for open court hearings in all courtrooms (including outstations) which are utilized. If the usage of any courtroom exceeds the available hours, then the utilization rate will exceed 100% and the rate will fall below 100% if less than the available hours are utilized. The prescribed international standard for the courtroom utilization rate is 100%, which means that all hours allocating for court hearings in any court, on any given day should be utilized. The overall average courtroom utilization rate for the Hanover Family Court in the year was roughly 68.49%, which is an indication that on average roughly 68% of the available hours for court hearings in 2020 were utilized. The standard deviation of the courtroom utilization rates is moderate, suggesting that on average the rates did not vary widely from the overall mean.

The sample size of days used to compute the rates for each court were sufficiently large and representative and the margin of error of the courtroom utilization rates is a reliable $\pm 2.5\%$.

Aggregate case activity summary

Table 1.0: Aggregate case flow performance estimates for the year ended December 31, 2020

Family Court	Number of new cases	Gross Number of disposed cases	Gross number of Inactive cases	Weighted Average Case Clearance Rate (%)
Corporate Area Family Court	2471	2493	292	112.71
Hanover Family Court	873	782	87	99.54
St. James Family Court	2647	2743	115	107.97
Westmoreland Family Court	1757	1337	128	83.38
Total/Weighted Average	7748	7355	622	102.96

The above table provides a summary of aggregate case activity across the featured specialized Family Courts in the 2020 calendar year. It shows that a total of 7748 new cases were filed in these courts, while 622 became inactive and 7355 were disposed, leading to an estimated weighted case clearance rate of 102.96%. The Corporate Area Family Court recorded the highest overall weighted case clearance rate among the feature courts with 102.96%, followed by the St. James Family Court with 107.97%.

Conclusion

In a year when the COVID-19 pandemic had a significant adverse effect on the productivity of many institutions, the Jamaican court system has stood out as a testament of resilience. Despite a general slowdown in activity, the Jamaican court system managed to remain broadly on course with key quantitative targets established in the strategic plan of the judiciary for the next 3-4 years. At the core these targets are the creation of efficient, highly productive courts with a minimal case backlog rates and minimized incidence of delay in case progression. From the statistical evidence in this annual report for 2020, the specialized Family Courts in the Corporate Area and the Western Regional Family Courts are indeed making a profound contribution to the realization of the key performance targets for the court system as a whole. One of the most important measures which indicate the current health of a court in handling its caseload is the case clearance rate. Three of the four specialized family courts included in this document either satisfied or exceeded the international standard on this measure in 2020. The Corporate Area Family Court led in this regard with an estimated weighted average case clearance rate of 112.72%, followed closely by the St. James Family Court with 107.97% and the Hanover Parish Court with an estimated rate of 99.54%, all satisfying the international standard of 90% to 110% on this metric. The Westmoreland Family Court also performed creditably with an estimated rate of 83.38%. The overall weighted average case clearance rate for the four specialized Family Courts included in this report was an impressive 102.96%, an indication that for every 100 new cases entering these courts in 2020, roughly 103 were resolved. Another area in which these specialized family courts performed quite commendably in 2020 was in terms of the courtroom utilization rates. Despite general losses in normal operating hours in 2020, these courts all

exceeded a 60% courtroom utilization rate in 2020, placing them above the overall parish court average during the same period. The Corporate Area Family Court for example recorded one of the very highest courtroom utilization rates across all courts in 2020, with a rate of 79%.

The Family Courts face delays in case progression associated with factors such as case party absenteeism, outstanding scientific reports and incomplete files and therefore continuous strengthening of the case management apparatus is necessary to persist with improvements in productivity. The specialized family courts are unique in the Jamaican court system and the metrics included in this report do not tell the full story in terms of the range of services offered but they give excellent insights into general efficiency. Other areas of the day to day family court operations aside from substantive open court activity will be included in future reports.

In the coming months, the Jamaican court system is expected to benefit from the introduction of a new, advanced case management system called the Judicial Case Management System (JCMS) which is expected to dramatically improve overall operational and court productivity.

Glossary of 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%. A distinction is sometimes made between the gross and net case clearance rates. The simple difference is that the net rate completely excludes inactive cases from its computation while the gross rate does not.

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.¹

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%. A distinction is sometimes made between the gross and net case disposal rates. The simple difference is that the net rate completely excludes inactive cases from its computation while the gross rate does not.

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 rank 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:

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/bestpractice/BestPracticeCaseAgeClearanceRates.pdf>

ⁱ *Source:*

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/bestpractice/BestPracticeCaseAgeClearanceRates.pdf>

