

## Clearance Rates

3

### DEFINITION

The number of outgoing cases as a percentage of the number of incoming cases.

### PURPOSE

This measure gauges whether a court is keeping up with its incoming caseload. If a court is resolving fewer cases than are filed with the court, a growing inventory of pending cases is inevitable. Knowledge of clearance rates for various case types over a period of time can help the court identify emerging problems and target improvements.

### METHOD

Clearance rates are calculated by dividing the total number of incoming cases by the total number of outgoing cases, for each case type during a specific time period (e.g., month, quarter, year). The resulting number is then multiplied by 100 to obtain a result expressed as a percentage.

#### Step 1: *Sum Incoming cases*

Both *Filed* and *Reactivated* cases are part of the appellate court's incoming caseload. If *Reactivated* cases cannot be distinguished and counted, just use *Filed* cases.

#### Sum Incoming cases

Filed	100
Reactivated	+ 100
<b>Total Incoming Caseload</b>	<b>= 200</b>

#### Step 2: *Sum Outgoing cases*

*Disposed* and *Placed on Inactive Status* cases comprise an appellate court's outgoing caseload. If *Placed on Inactive Status* cases cannot be distinguished and counted, just use *Disposed* cases.

#### Sum Outgoing cases

Disposed	100
Placed on Inactive Status	+ 50
<b>Total Outgoing Caseload</b>	<b>= 150</b>

### Step 3: Calculate Clearance Rate

The clearance rate is calculated by dividing the result of Step 2 by the result of Step 1 and is expressed as a percentage by multiplying by one hundred. This calculation can be done for the total caseload as well as for individual case types.

#### Calculate Clearance Rate

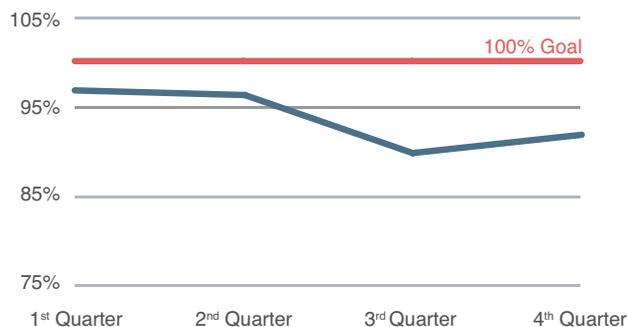
$$\begin{array}{r} \text{Total} \\ \text{Outgoing} \\ \text{Caseload} \end{array} \div \begin{array}{r} \text{Total} \\ \text{Incoming} \\ \text{Caseload} \end{array} \times 100 = \text{Clearance Rate}$$
$$150 \div 200 \times 100 = 75\%$$

## ANALYSIS & INTERPRETATION

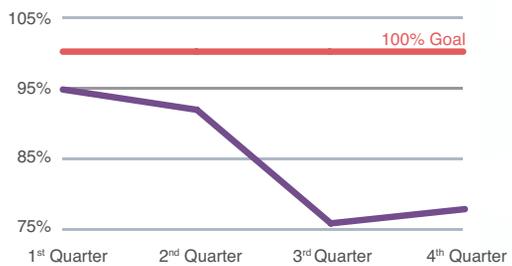
Clearance rates should be measured over time. The graphic below shows a court's clearance rate for each quarter of FY 2009-2010. The court, having set a performance goal of 100 percent, can see that it is keeping up with its incoming caseload until the third quarter of the fiscal year.

### Clearance Rate by Quarter, Fiscal Year 2009-2010

#### All Cases



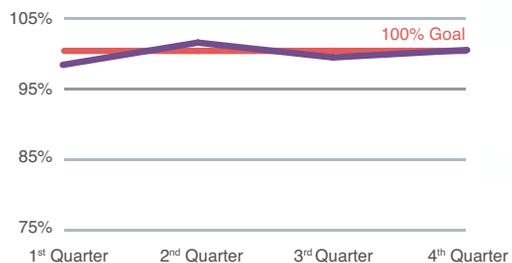
#### Appeals by Permission



#### Appeals by Right



#### Original Proceedings



MEASURE

Clearance Rates

3

The court, upon seeing the decrease in clearance rates during the third quarter of the year, may choose to take a closer look at the clearance rates of individual case types within the Appeal by Permission case category, since those cases had the lowest clearance rate (76 percent) during the third quarter. Examining the clearance rates of those individual case types shows the court that it lagged behind the 100 percent performance goal for all Appeal by Permission case types, but most dramatically in its Administrative Agency cases.

**Appeal by Permission Clearance Rates,  
Third Quarter FY 2009-2010**

Case Type	Incoming	Outgoing	Clearance Rate
Total Criminal	405	363	90%
Civil – Tort, Contract, Real Property	245	216	88%
Civil – Probate	45	40	89%
Civil – Family	17	15	88%
Total Administrative Agency	250	100	40%
<b>Total</b>	<b>962</b>	<b>734</b>	<b>76%</b>

100% Goal

Additional research revealed that both the original decline in overall clearance rates as well as the continued low clearance rate for Appeal by Permission cases resulted from significant increases in the number of workers’ compensation (Administrative Agency) cases filed during the reporting period. Having been caught off guard by the increase in those filings, the court is now adjusting its processes for handling the new, high volume of these cases. The court may also wish to devise methods for anticipating future changes in its incoming caseload. Such planning could help the court to prepare for the increase in workload, possibly enabling it to avoid such dramatic declines in clearance rates.

## Terms You Need to Know

---

**Filed:** A count of cases that have been filed with the court for the first time during the reporting period.

**Disposed:** A count of cases that have been resolved, irrespective of the manner of disposition (e.g., decided, dismissed prior to decision, withdrawn, etc.), during the reporting period.

**Incoming Caseload:** The sum of the count of Filed and Reactivated cases.

**Outgoing Caseload:** The sum of the count of Disposed and Placed on Inactive Status cases.

**Placed on Inactive Status:** A count of cases whose status has been administratively changed to inactive during the reporting period due to events beyond the court's control. These cases have been removed from court control, and the court can take no further action until an event restores the case to the court's active pending caseload. Courts should refer to their local or statewide rules of court, statutes, or standards of administration and/or statistical reporting guidelines for precise definitions of when a case may be properly considered inactive.

**Reactivated:** A count of cases that had previously been placed in an inactive pending status, but for which further court proceedings and activities have been resumed during the reporting period so that the case can proceed to disposition.

Developed in  
collaboration with the  
National Conference of  
Appellate Court Clerks

Project Directors: Brian Ostrom and Daniel Hall  
Series Editor: Richard Schauflier  
Senior Contributors: John Doerner, Ingo Kellitz, and  
Shauna Strickland  
Information Design: Neal Kauder, VisualResearch, Inc.



**CourTools**