



# Caseload Highlights of the Unified Judicial System of Pennsylvania

February 16, 2021

Department of Research & Statistics

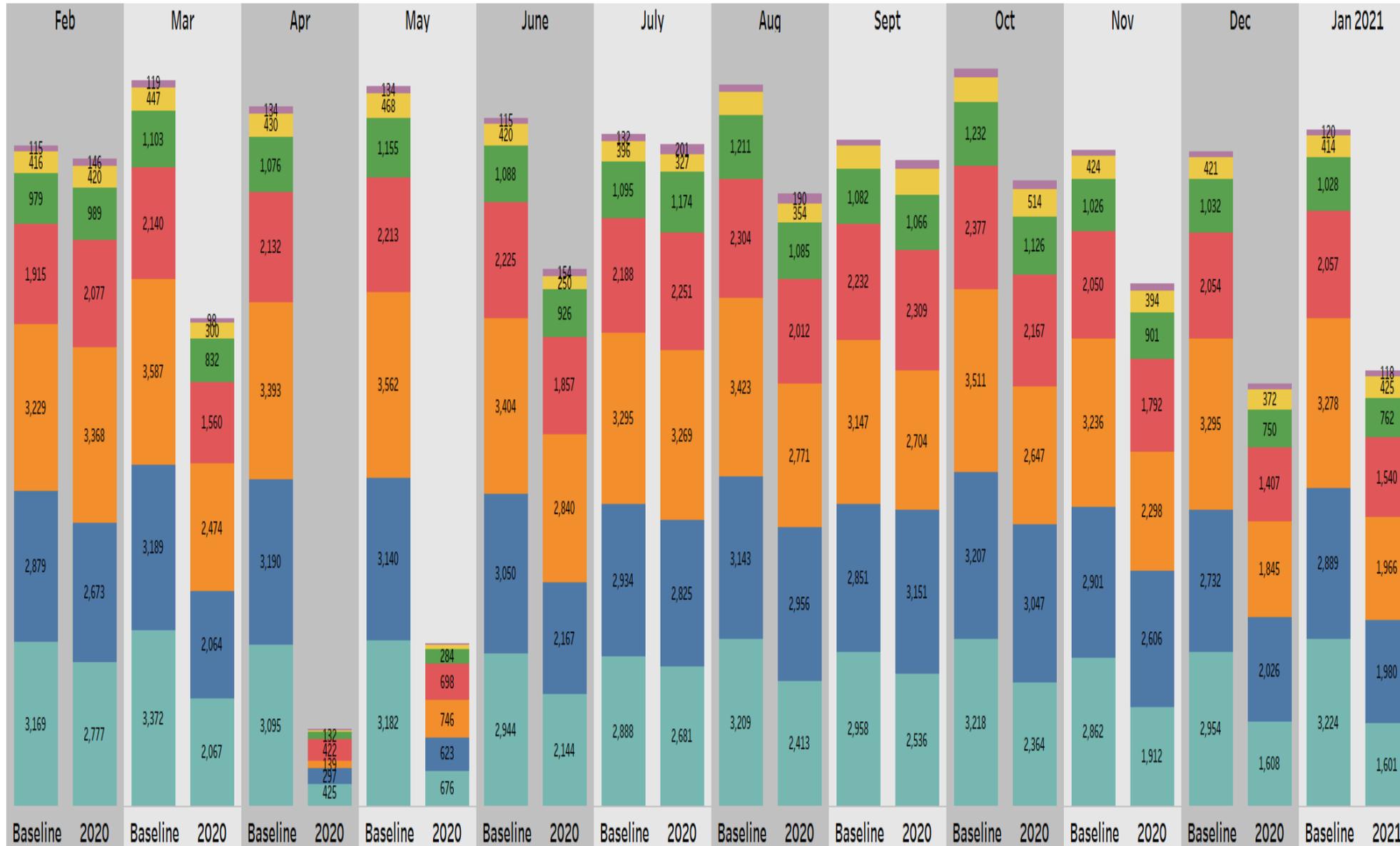
# Caseload Highlights Definitions and Notes

This report is intended to provide timely information about the impact of the COVID-19 pandemic on court caseloads. Caseload figures are those reported by the judicial districts and have not been verified. Accordingly, they are preliminary and subject to change. Please contact Kim Nieves, AOPC Director of Research & Statistics at [kim.nieves@pacourts.us](mailto:kim.nieves@pacourts.us) with any questions about this report.

All case types recorded in the AOPC managed automated systems are published as of January 30, 2021. For case types not recorded in AOPC managed automated systems, statistics continue to reflect a one month lag in reporting (Common Pleas Civil, Family, PFA, & Orphans' Court) Specifically, reports are due to AOPC from the judicial districts on the 15<sup>th</sup> of the following month; January 2021 reports are due February 15, 2021 and those data will appear in the March release.

- **Clearance rate** is the number of dispositions divided by the number of filings (x 100). It is a measure of the balance of incoming and outgoing cases, and is used to detect potential for case backlog.
- **Baseline** is the average number of filings or dispositions in that month for the pre-pandemic years 2017, 2018 and 2019.
- **Month to month percent change** is the difference between the baseline compared to the same month in 2020/2021.
- Year to date, or **YTD percent change** is the difference between the cumulative baseline compared to the total number for a 12 month period.
- **Missing** is the percent of cases not yet reported by the judicial districts; it's calculated as the average percent of the statewide total that a non-reporting district contributes. Data from CPCMS and MDJS systems (criminal, dependency, delinquency & MDJ courts) are extracted from the systems in real time, so there are no missing cases, though there may be docketing delays that will increase figures in later Highlights report versions.

# Common Pleas Criminal: Filings

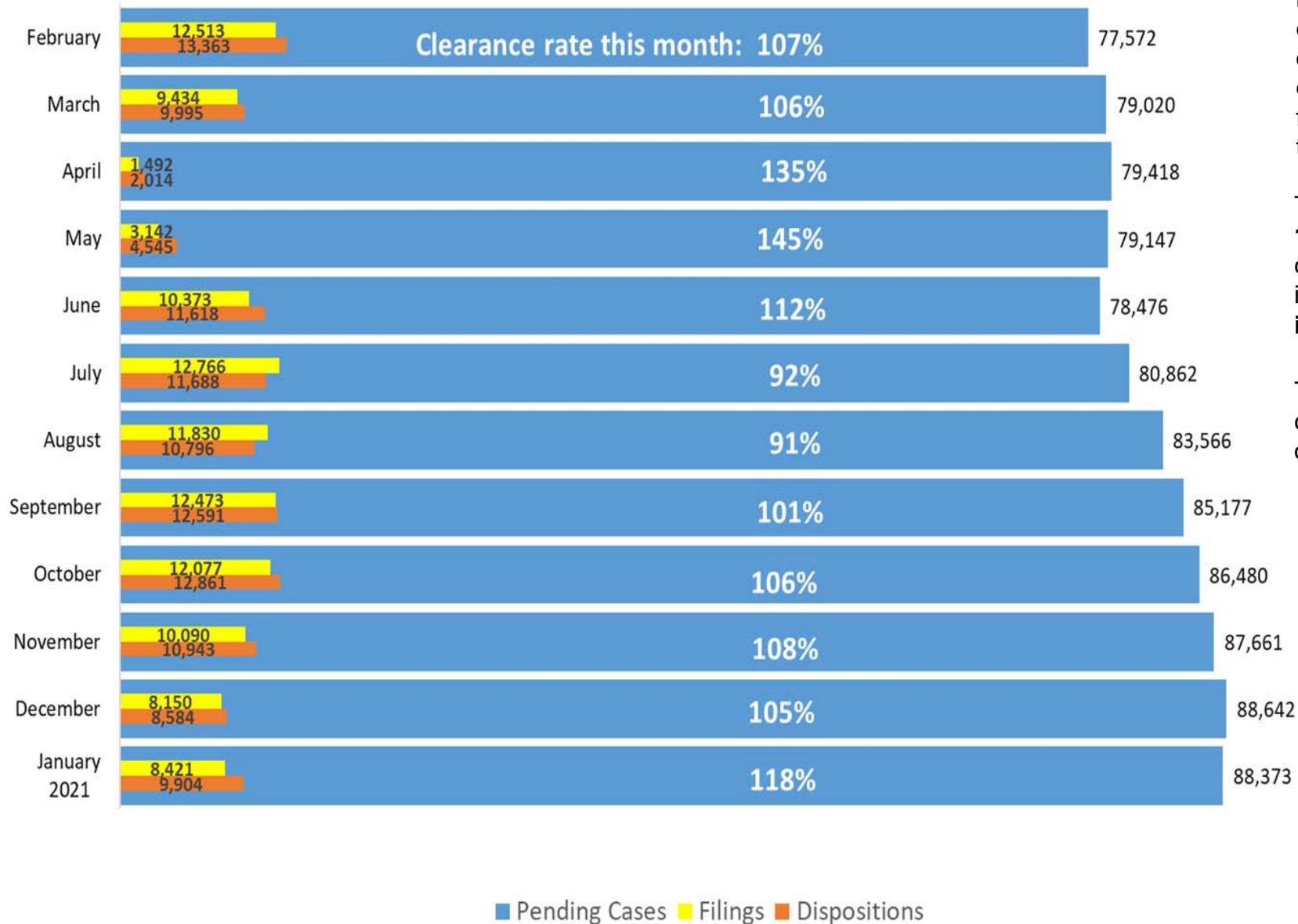


Case type	Percent change	
	Jan base- Jan 21	YTD
Motor Vehicle	-2%	1%
Weapon	3%	-32%
Public Order	-63%	-61%
Person	-25%	-32%
DUI	-40%	-40%
Drug	-31%	-9%
Property	-50%	-22%

Findings from a study of crime rates in 34 cities (including Philadelphia) show a 30% increase in homicide rates in 2020 compared to 2019. The study's authors attributed this increase to, "a 'perfect storm' of factors, including the pandemic, police violence and the unrest that followed, and other yet-to-be-confirmed factors." At the same time, the study found that rates of certain property and drug crimes "fell significantly in 2020", coinciding with stay-at-home orders and business closures during the pandemic response.

**Source:** Final Report of the National Commission on COVID-19 and Criminal Justice, December 2020  
[counciloncj.org](http://counciloncj.org)

# Common Pleas Criminal: Cases Awaiting Adjudication



This graphic depicts the monthly inventory of criminal cases awaiting adjudication against the monthly movement of filings and dispositions. Principles of caseflow management emphasize a clearance rate of over 100%. In other words, disposing of more cases each month than are filed. Total year-to-date criminal filings are **31 % FEWER** than there were at this same time over the last three years.

The statewide clearance rate for **January 2021 is 118 %**, which means that statewide, more existing criminal cases were disposed than new ones filed. This is a positive indicator, but the **pending inventory has increased 14% since the beginning of the year.**

There were **71 Jury Trials in January 2021**, as compared to an average of 518 jury trials in the months of January of the pre-pandemic benchmark years.

Disposition type	% of total dispositions (Jan)
Guilty plea	57%
Diversionary Disposition	17%
Withdrawn/Dismissed	6%
Jury/Non-Jury Trial	1%
Inactive	19%
Other	0%

# MDJ Courts Non-Criminal: Filings



### Percent change

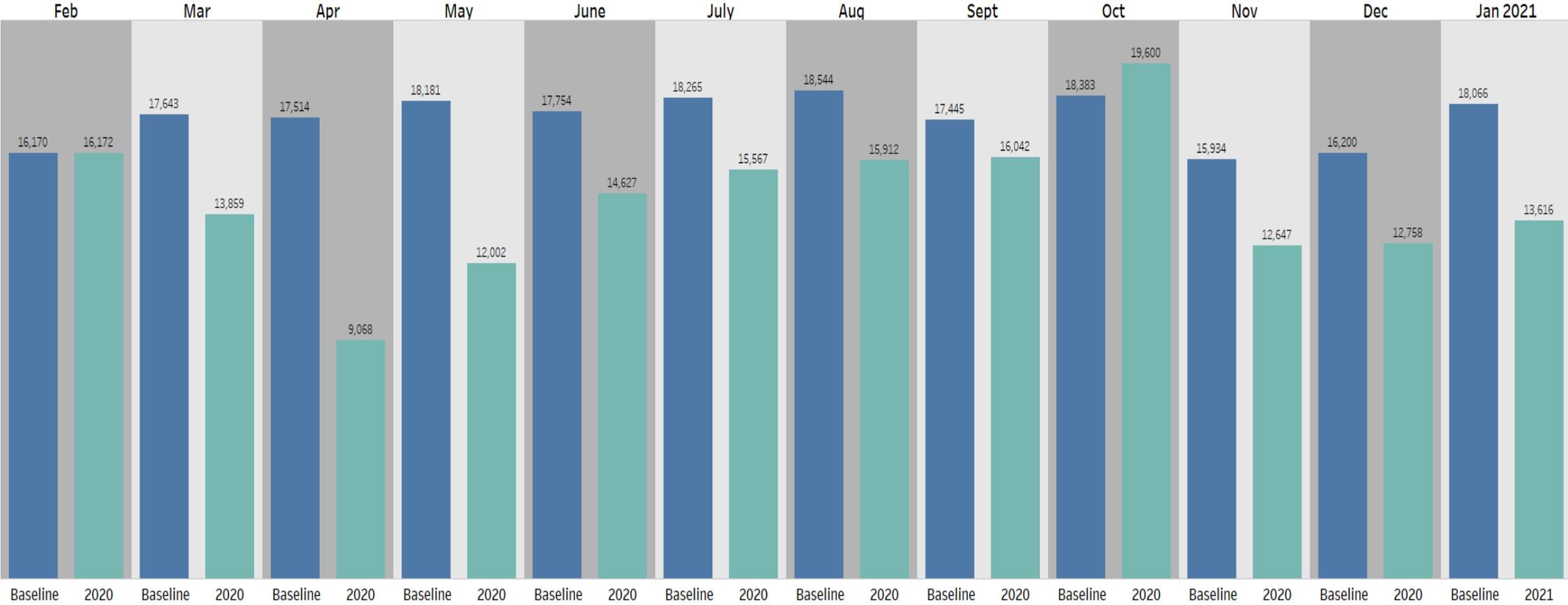
Case type	Jan base- Jan 21	YTD
Emergency PFA	22%	-5%
Landlord/Tenant	-48%	-60%
Civil	-31%	-39%
Traffic	-26%	-41%

The federal protection against residential evictions due to failure to pay rent (CDC Order) has been extended through March 31, 2021.

Total traffic citations issued by the PA State Police trended lower again in December (-40% compared to December 2019). This decrease is consistent with decreases in MDJ criminal filings. It's unclear what is the reason for reversals of trends in the past several months.

Source: PA State Police COVID-19 Statistics <http://www.psp.pa.gov>

# MDJ Criminal: Filings



Percent change

Case Type	Jan base – Jan 21	YTD
Criminal	-25%	-27%

Over the past 12 months, February 2020 – January 2021, total MDJ criminal filings are **27% fewer** as compared to the same time frame in the past three years.

While August thru October of this year seemed to suggest a return to normal volume, filings have again dropped steadily since November, a reversal also reflected in State Police traffic citations.

# MDJ Criminal: Dispositions

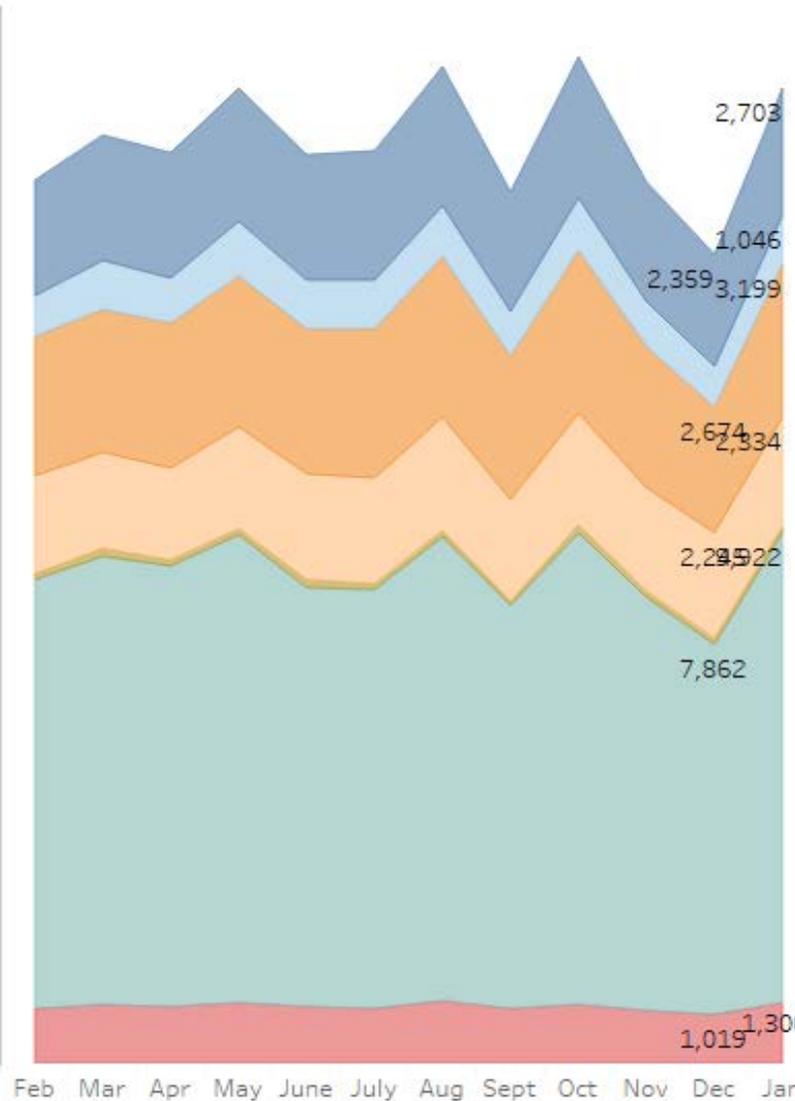
In January, the total number of criminal dispositions are **25 % fewer** as compared to the same month in prior, pre-pandemic years.

**Statewide, the year-to-date clearance rate was 109%**, indicating that for every case filed more than one case (1.1) was disposed., suggesting there is no widespread COVID related backlog in MDJ criminal case processing. While the MDJ courts cleared more criminal cases than were filed, filings have again decreased by half of expected volume. This suggests that the high clearance rate may not necessarily reflect increased adjudicatory activities, rather is an artifact of the overall decline in incoming cases.

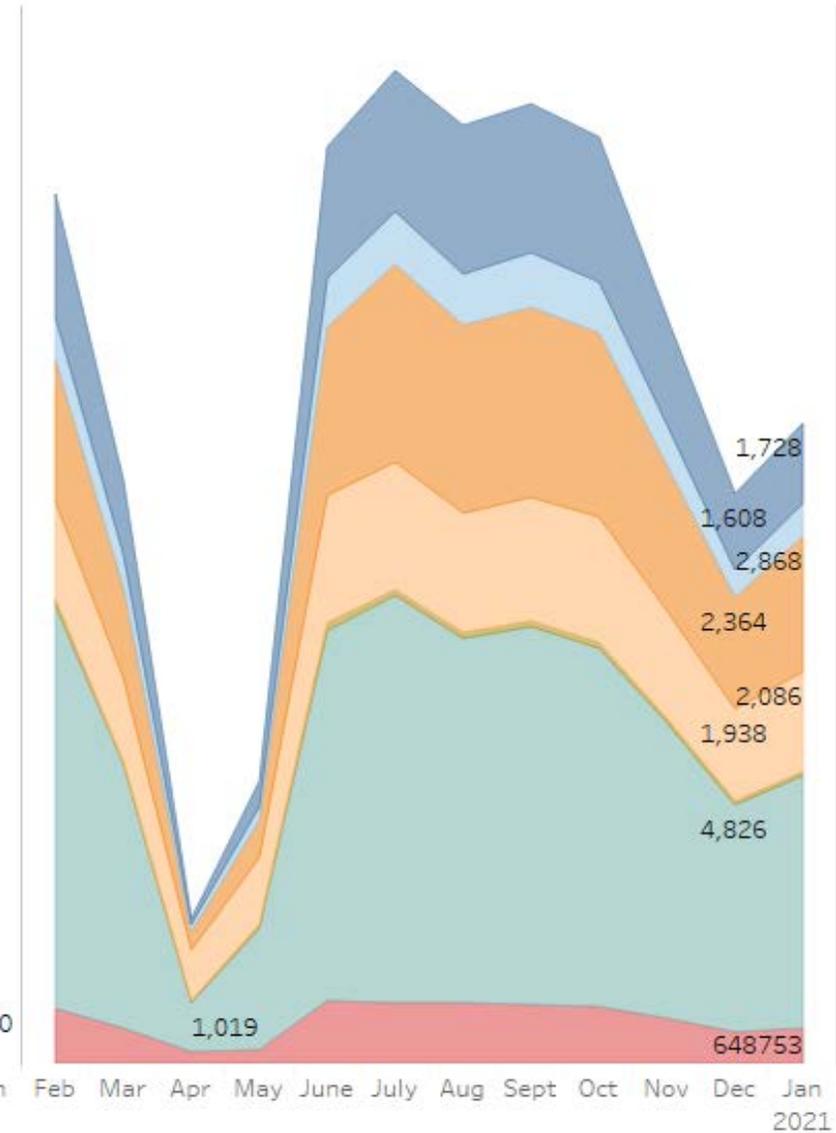
Disposition Type	Jan 21 Total	% change from base YTD
Dismissed	1,702	-25%
Guilty Plea	687	-27%
Held for Court	2,868	-16%
Inactive	2,086	-10%
Post-dispositional Other*	103	-25%
Waiver of Prleim Hearing	5,336	-38%
Withdrawn	753	-27%

\* Post-dispositional Other dispositions refer to cases dismissed due to a deceased defendant, and cases with a "Sent to Common Pleas" disposition entry.

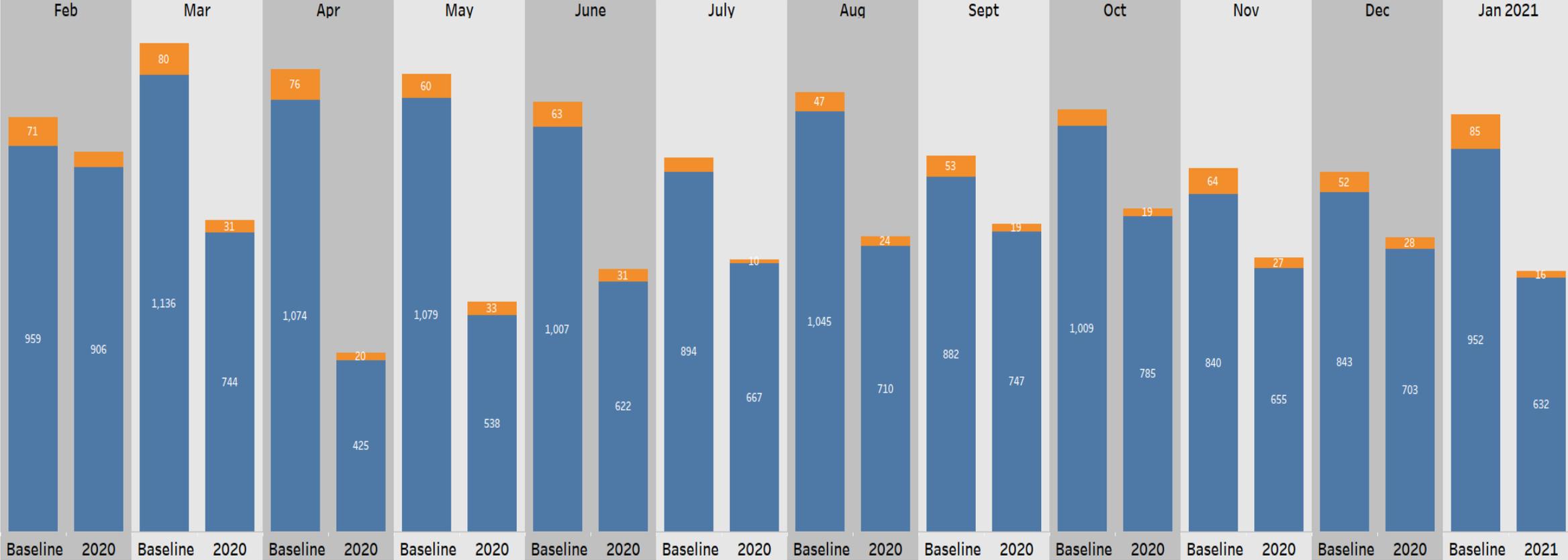
Baseline



2020 - 21



# Juvenile Dependency: Filings



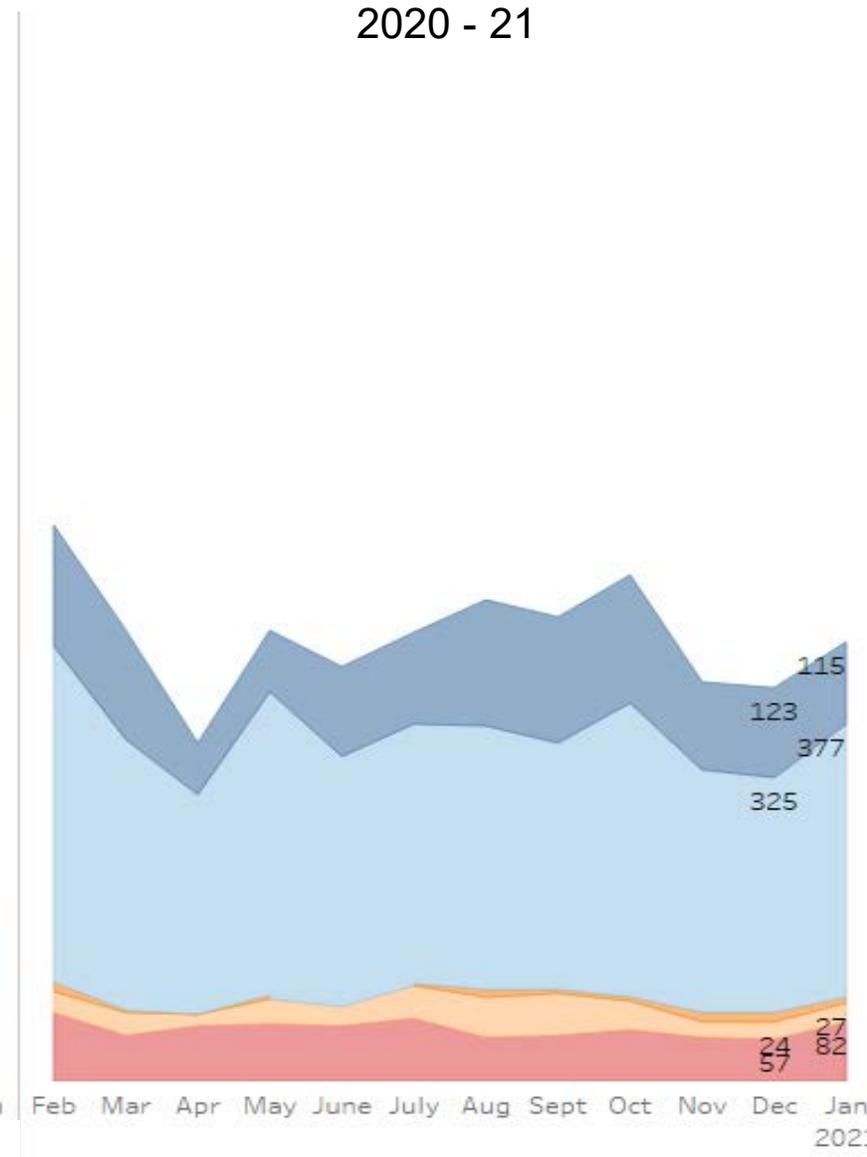
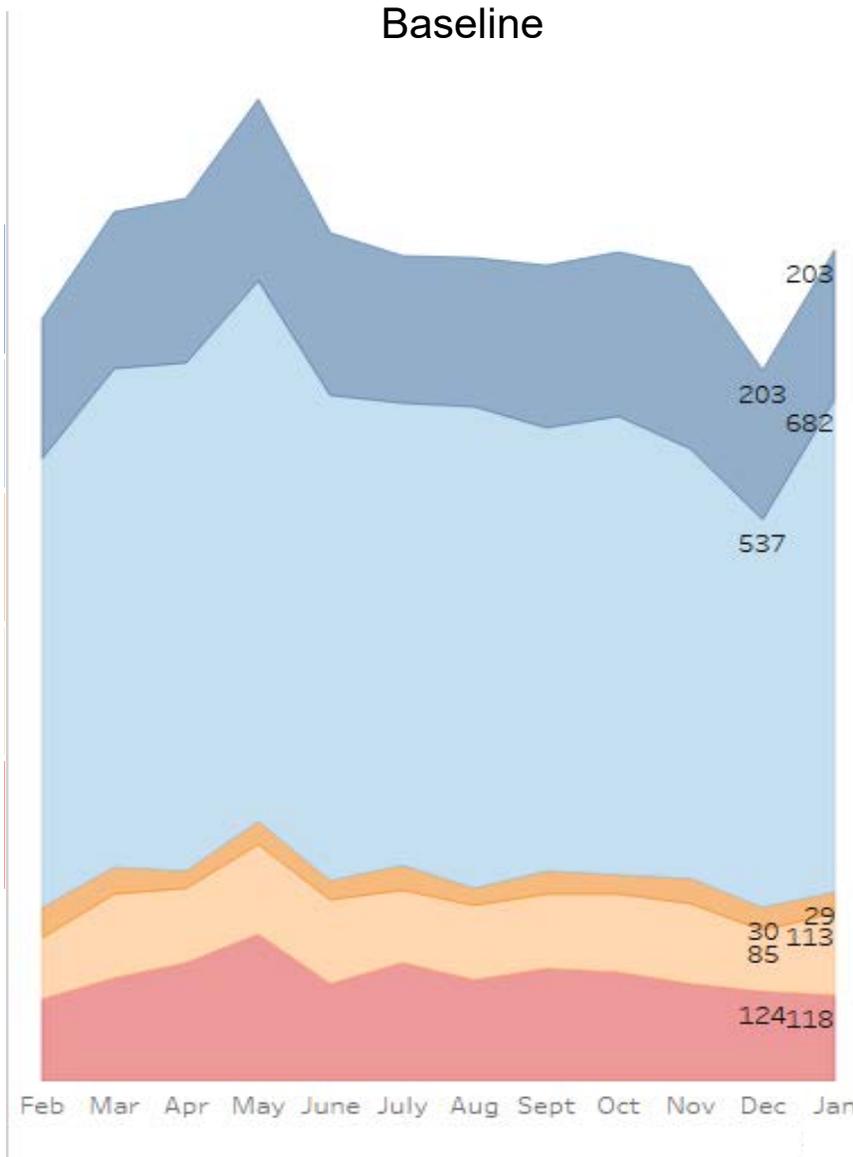
While 50-state data for 2020 is not yet available, former top officials at the federal Department of Health and Human Services indicate that they’ve seen no solid evidence of a surge in serious forms of child abuse during the coronavirus pandemic. Many child welfare experts have cited a likely surge in child abuse resulting from pandemic-related stressors.

Source: *Associated Press*, 1/14/2021 [HHS leaders: No evidence of child abuse surge amid pandemic \(apnews.com\)](https://apnews.com/hhs-leaders-no-evidence-of-child-abuse-surge-amid-pandemic)

Case type	Percent change	
	Jan base-Jan 21	YTD
Status Offenses	-81%	-64%
Abuse/ Neglect	-34%	-36%

# Juvenile Dependency: Dispositions

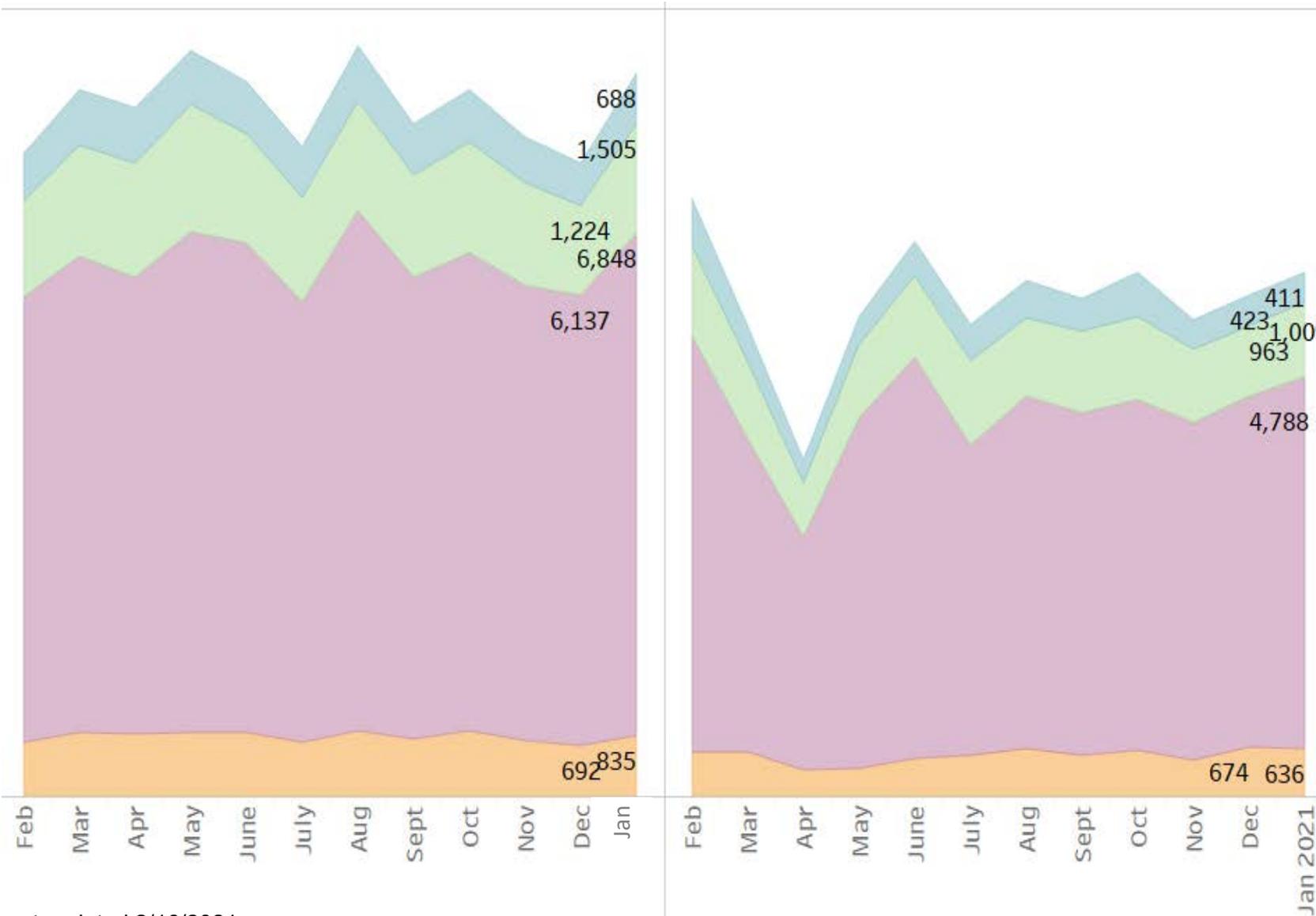
Adjudicated Dependent by a Hearing Officer	-43%
Adjudicated Dependent by a Judge	-45%
NOT Dependent, Hearing Officer	-79%
NOT Dependent, Judge	-76%
Withdrawn/Disimissed/Inactive	-31%



# Juvenile Dependency: Hearings

Baseline

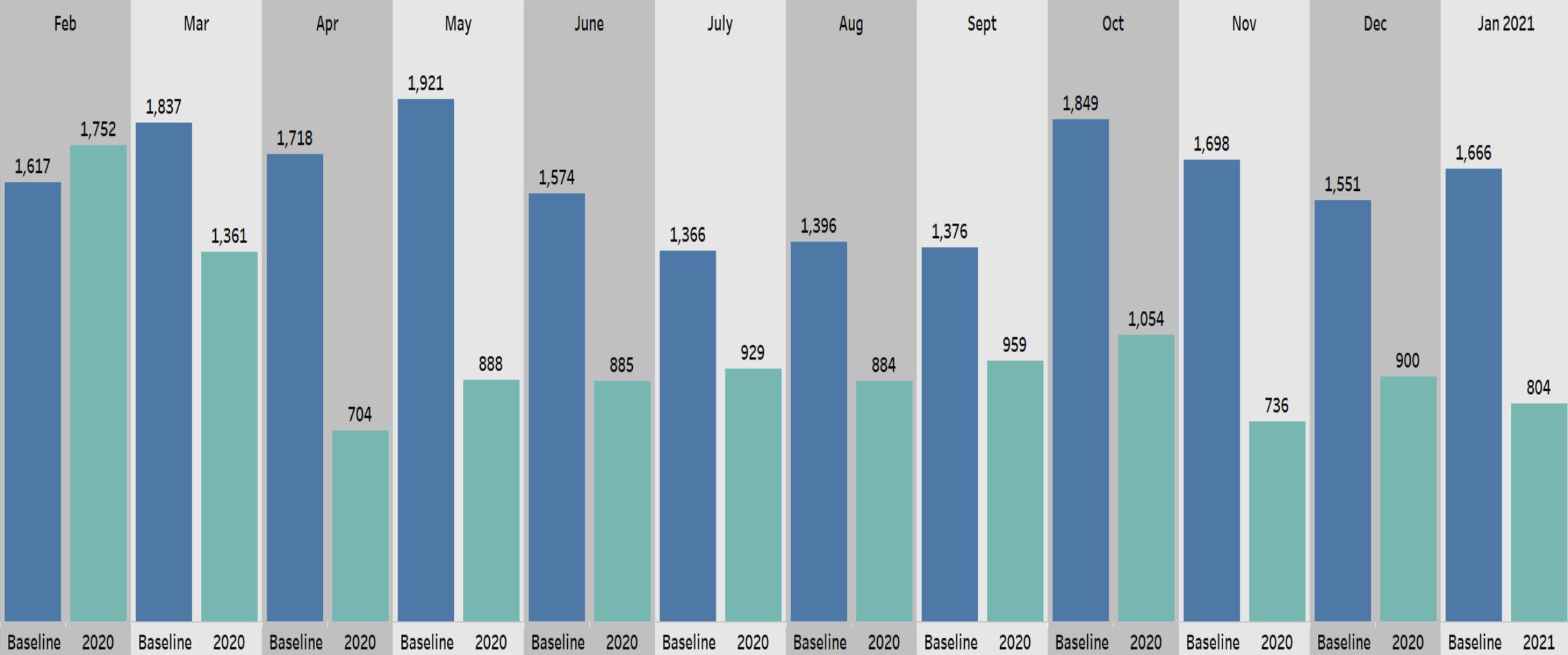
2020



Hearing Type	Percent change	
	Jan base – Jan 21	YTD
Shelter Care	-40%	-38%
Adjudication/ Disposition	-33%	-34%
Permanency Review	-26%	-34%
Other	-24%	-39%

\***Other** includes motions hearings, goal change hearings, emergency hearings, certain termination of parental rights hearings, certain adoption hearings, and other miscellaneous hearing types not classified as Shelter Care, Adjudication/Disposition or Permanency Review.

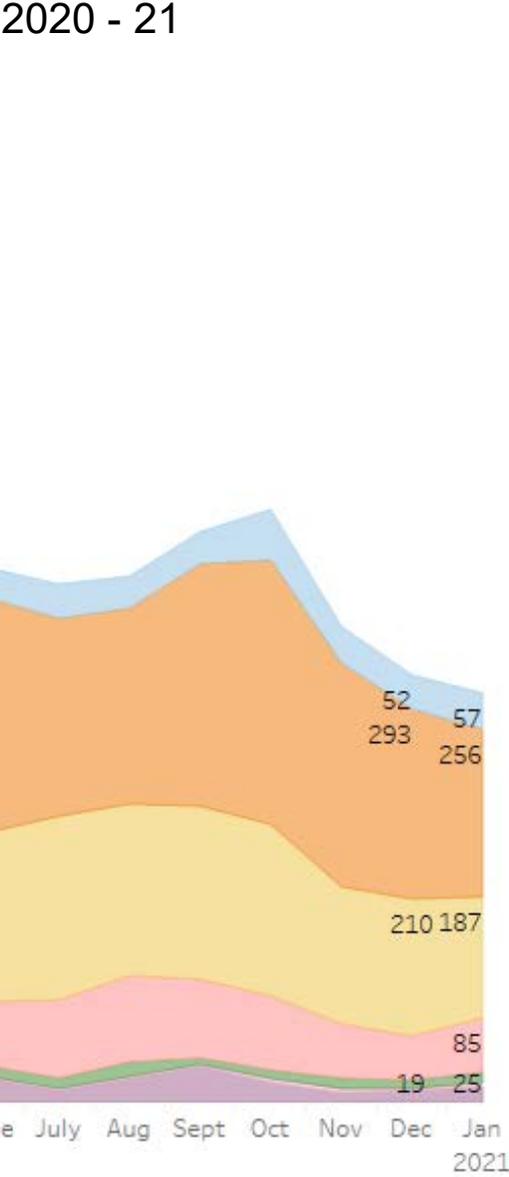
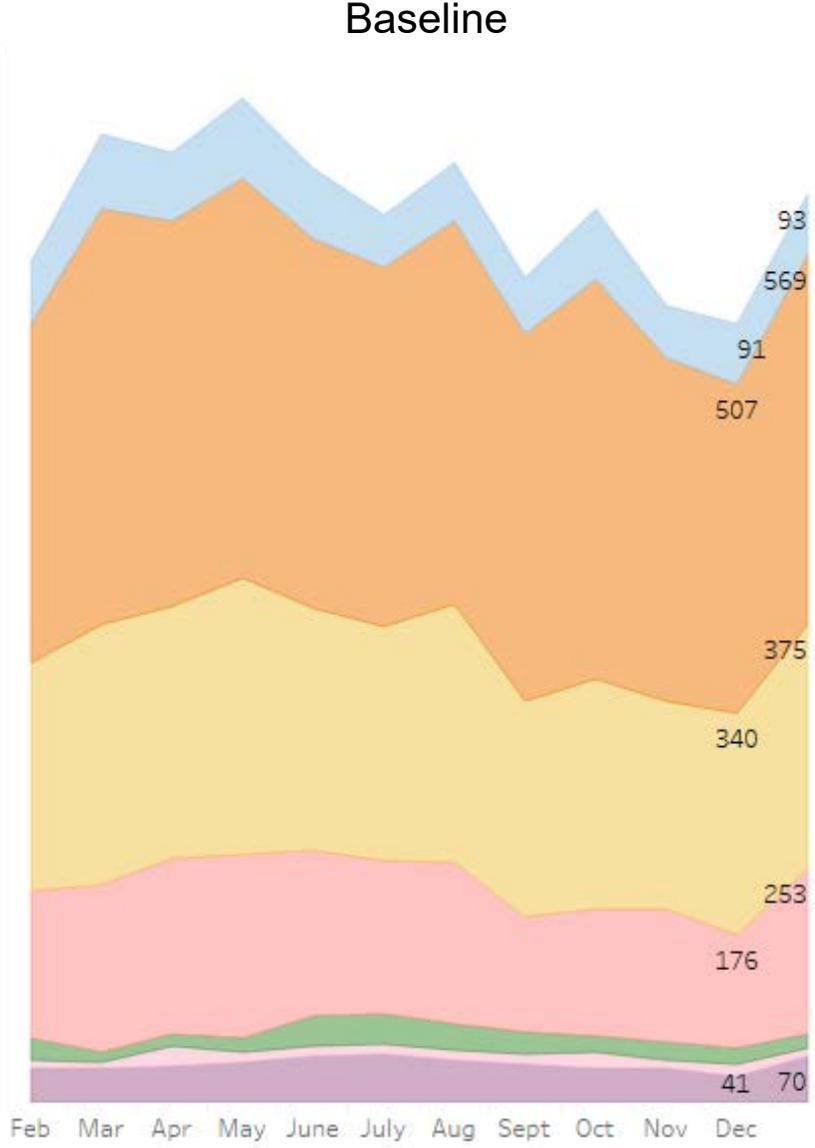
# Juvenile Delinquency: Filings



Percent change

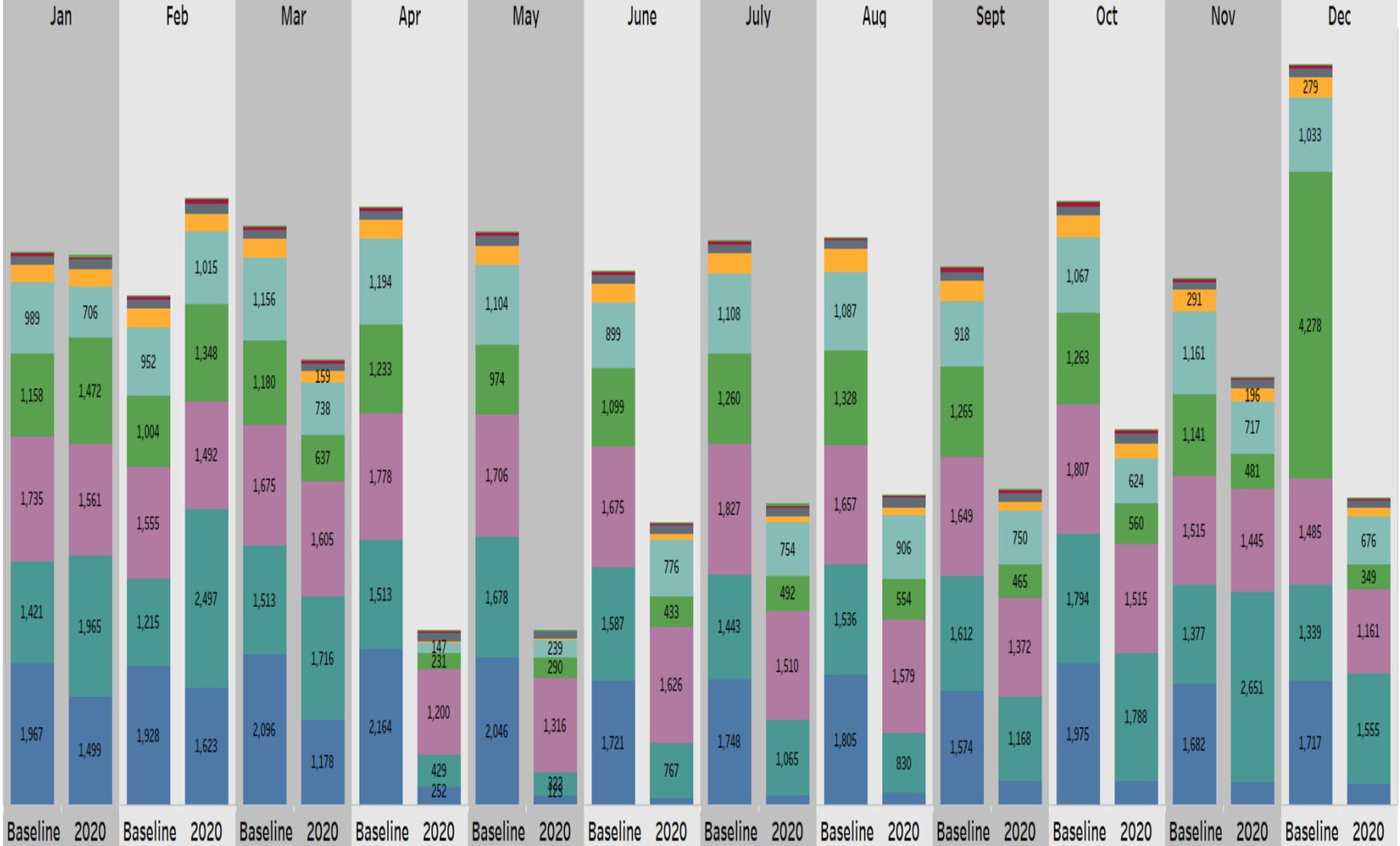
Case type	Jan base- Jan 21	YTD
<b>Delinquency</b>	<b>-52%</b>	<b>-44%</b>

# Juvenile Delinquency: Dispositions



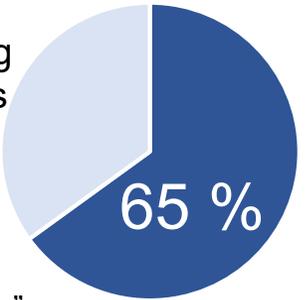
% change Jan Base to Jan 2021	
Adjudicated Delinquent by a HEARING OFFICER	-39%
Adjudicated Delinquent by a JUDGE	-55%
Consent Decree	-50%
Informal Adjustment	-66%
Other Active Outbound	-35%
Transfer to Criminal Court (3)	-64%
Warned/Counseled (pre-petition)	-64%

# Common Pleas Civil: Filings



Case type	Percent change		
	Dec base- Dec 2020	YTD	% Missing
Professional Liability - Other	32	0%	10%
Mortgage Foreclosure Commercial	32	-17%	11%
Medical Malpractice	100	5%	-4%
Landlord/Tenant	123	-33%	15%
Debt Collection - Other	708	-37%	12%
Miscellaneous	374	-57%	5%
Motor Vehicle Tort	1193	-5%	16%
Debt Collection Credit Card	1772	93%	15%
Mortgage Foreclosure Residential	304	-81%	14%

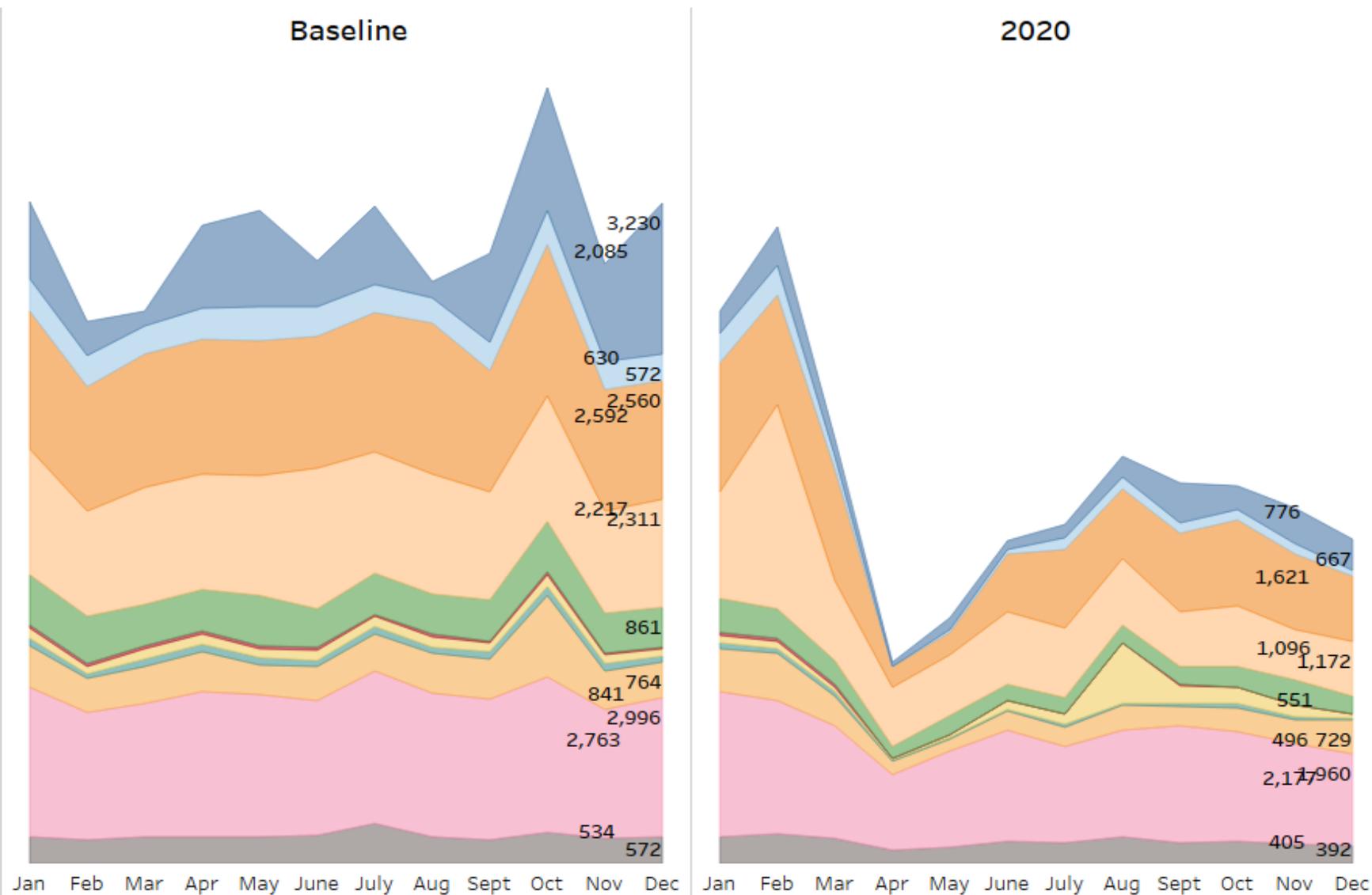
Only selected civil case types are included reflecting 65% of the state's civil inventory.



The **Miscellaneous case category** includes Mandamus, Quo Warranto, Replevin, Declaratory Judgments and other civil filings not separately tracked by the Statewide Civil Cover Sheet.

# Common Pleas Civil: Dispositions

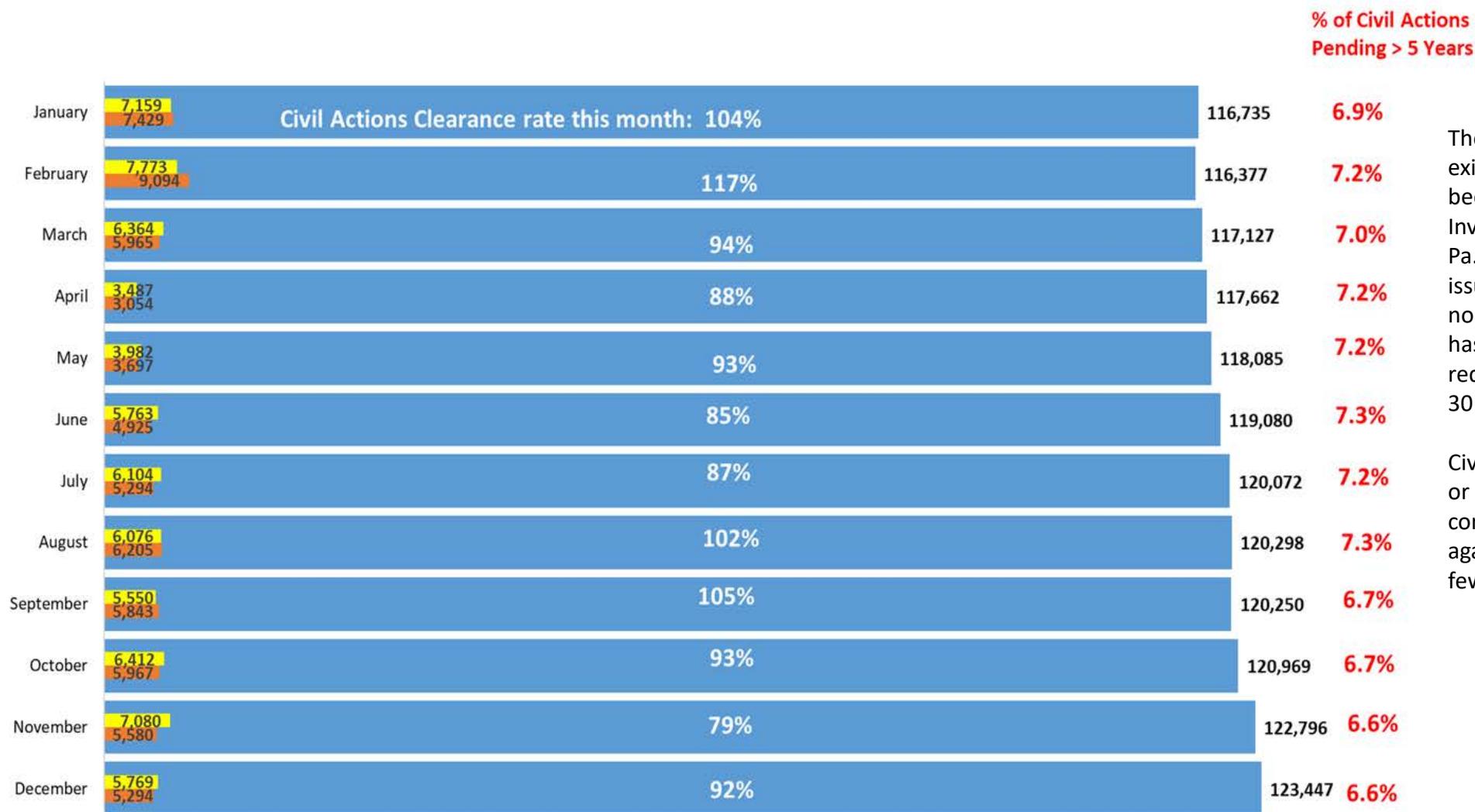
	N =	Percent change	
		Base - Dec 20	YTD
Administrative Purge	708	-78%	-70%
Cases Decided by Arbitration Board	132	-77%	-62%
Default Judgment	1,543	-40%	-43%
Dismissed/Discontinued	1,351	-42%	-33%
Dispositive Motions	410	-52%	-51%
Jury Trial	3	-93%	-73%
Inactive Status*	93	-45%	37%
Non-Jury Trial	45	-62%	-60%
Other	732	-4%	-36%
Settlements	2,035	-32%	-23%
Transferred/Withdrawn	406	-29%	-22%



Federal foreclosure moratoriums have been extended to March 31, 2021 for FHA-insured single family mortgages and to February 28, 2021 for home loans guaranteed by Fannie Mae or Freddie Mac. Also, borrowers with an FHA-insured single family mortgage have until February 28, 2021 to request a forbearance.

Source: 1/27/2021. [Update: Biden Administration Extends Eviction and Foreclosure Moratorium, Again | Kiplinger](#)

# Common Pleas Civil Actions: Cases Awaiting Adjudication

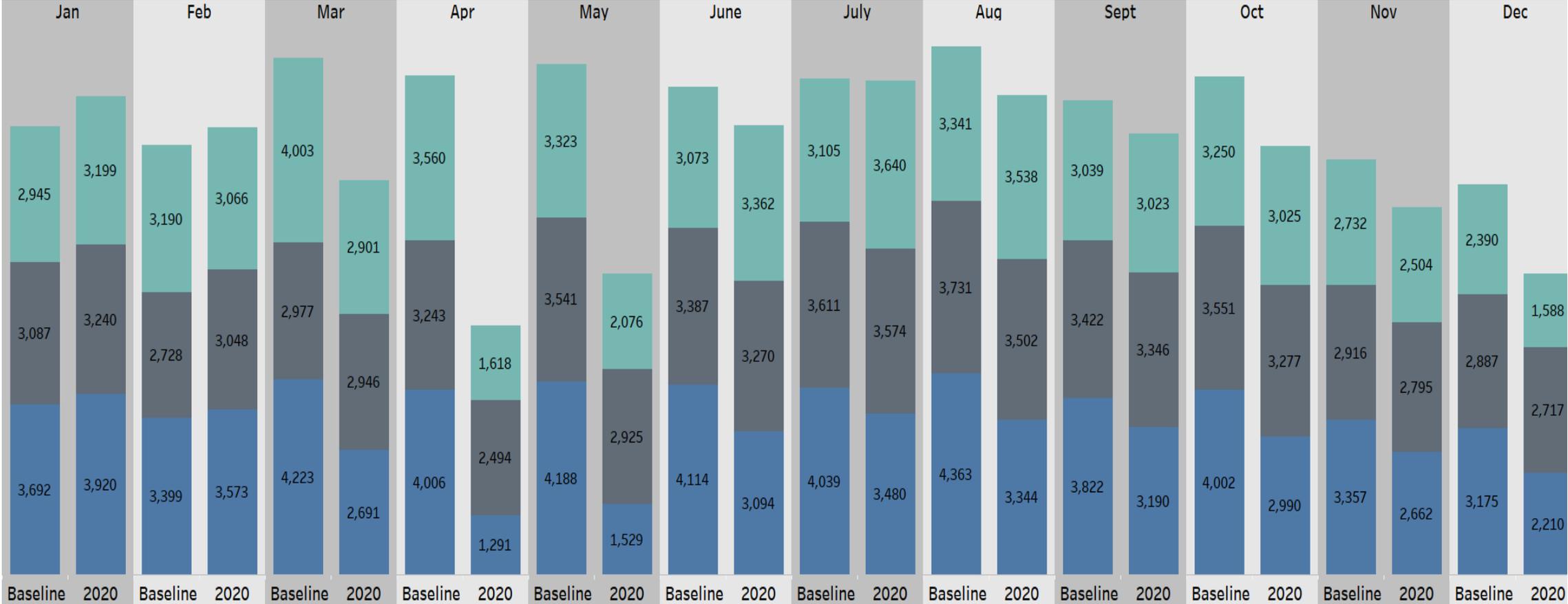


The large pending inventory of civil cases existed well before the pandemic. It has been addressed by the AOPC Civil Inventory Project, which resulted in Pa.R.C.P. 230.2 requiring prothonotaries to issue notices of termination to cases with no docket activity for two years. The rule has been marginally effective, initially reducing the statewide inventory by over 30 %.

Civil dockets inflated with inactive cases or very old cases remains a focus of concern as the statewide inventory grows again, up 6 % since last January despite fewer filings.

■ Pending Civil Actions    
 ■ Civil Actions Docketed    
 ■ Cases Actions Processed

# Common Pleas Family Court: Filings



The potential exists for marked increases in divorce filings with self-represented litigants in the near future, according to the National Center for State Courts (NCSC). The NCSC notes that divorce rates fell nationally during the Great Depression and the Great Recession before increasing as the economy recovered. A major supplier of self-help divorce templates reported a 34% increase in sales recently.

Source: "The COVID divorce", National Center for State Courts (<https://www.ncsc.org/information-and-resources/trending-topics/trending-topics-landing-pg/the-covid-divorce>)

### Percent change

Case Type	Dec Base - Dec 20	YTD	Missing
Divorce	-18%	-11%	8%
PFA	-16%	-11%	9%
Custody	-27%	-27%	7%

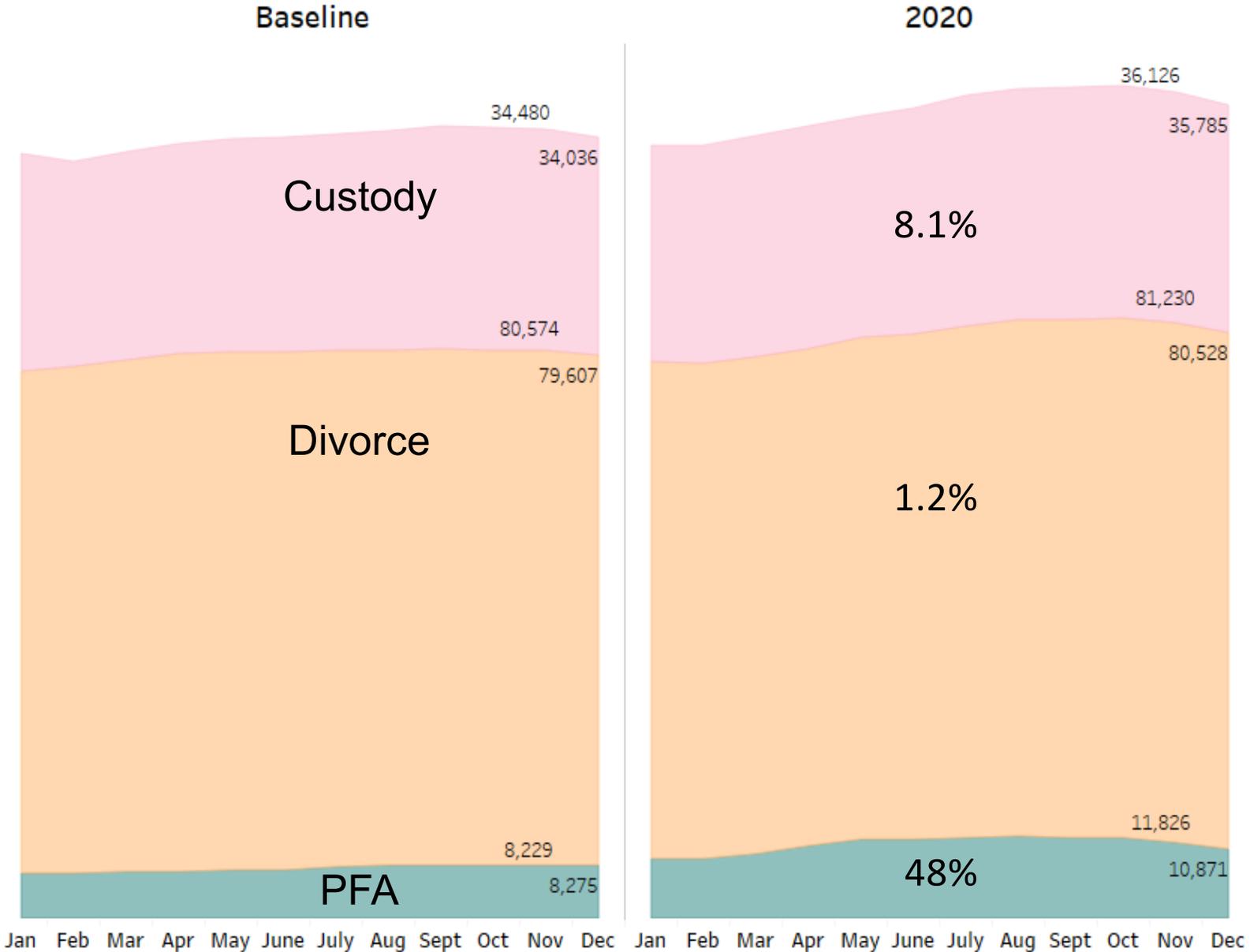
See Endnotes for details about "Missing"

# Common Pleas Family Court: Active Cases Awaiting Disposition

While the adjudication of pending family cases abruptly slowed in the early weeks of the judicial emergency, filings also decreased significantly.

As a result, the number of custody and divorce cases awaiting disposition are comparable to baseline figures, though the cases in the inventory are likely to be older as a result of pandemic related delays.

The processing of PFA cases is governed by statutory timelines, however many counties extended Temporary PFA Orders for the duration of the judicial emergency, leading to decreases in cases processed and increases in pending cases. The number of pending matters awaiting action at the end of December was 32% higher than in prior years, despite 11% fewer filings.



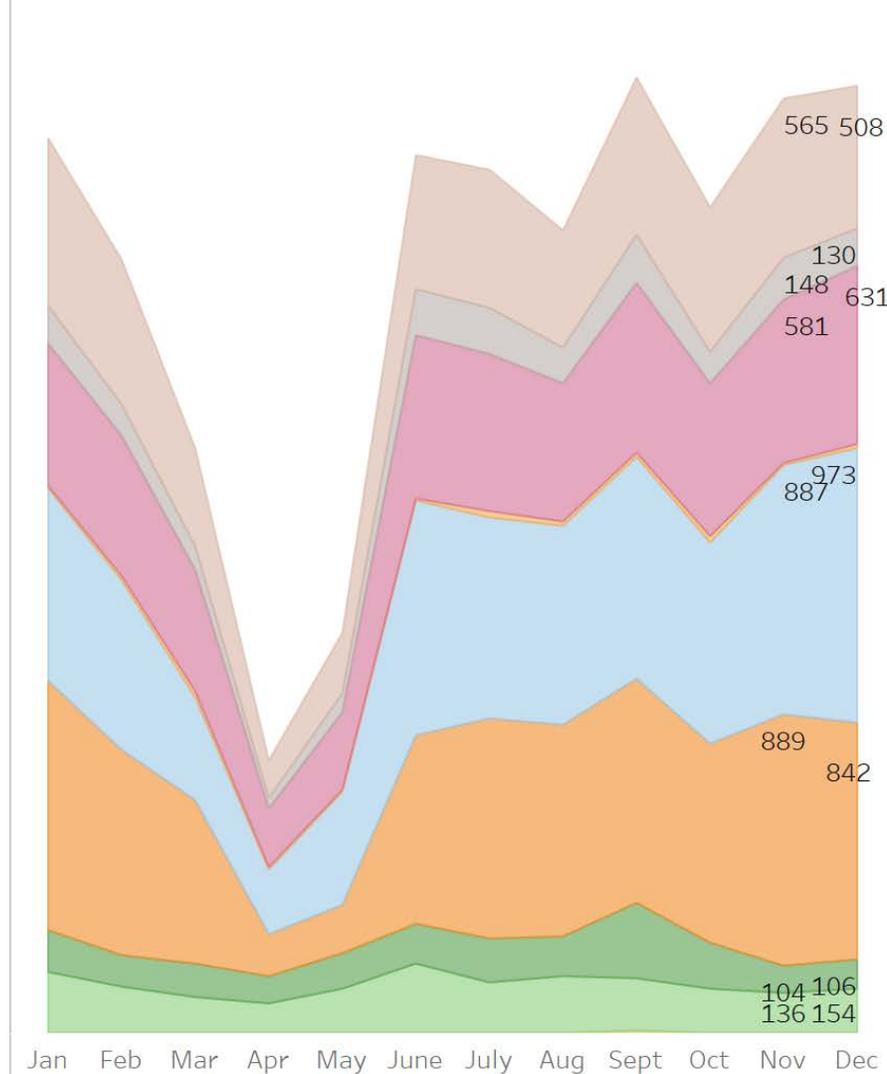
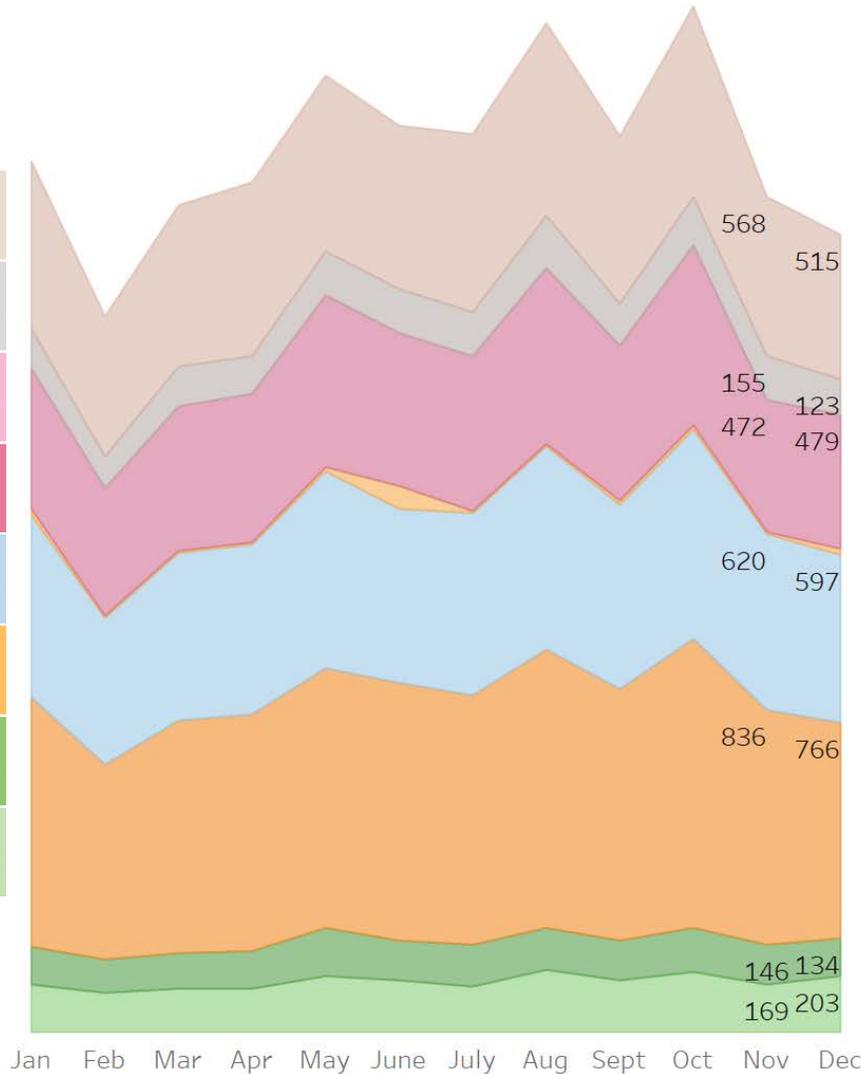
# Common Pleas PFA Case Processing

## Baseline

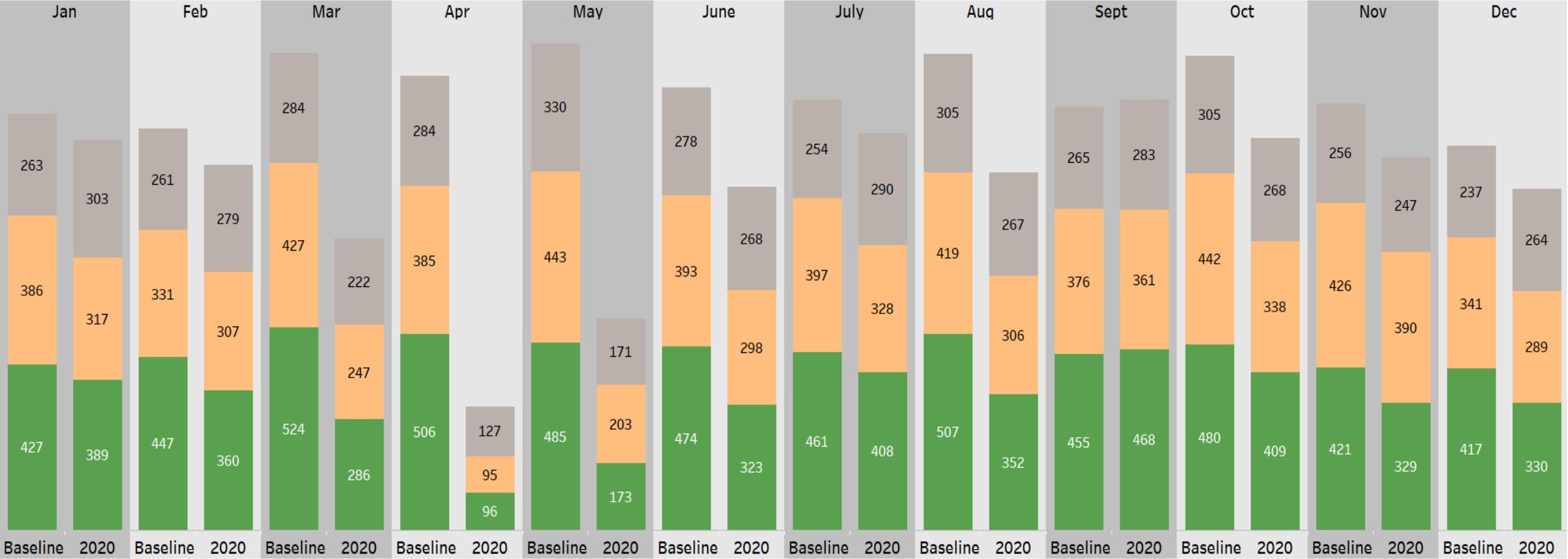
## 2020

% change - Dec Baseline to Dec 2020

Final Order by Stipulation or Agreement	-1%
Final Order DENIED after Evidentiary Hearing	6%
Final Order GRANTED after Evidentiary Hearing	32%
Other	-5%
Withdrawn by Plaintiff	63%
Plaintiff Did Not Appear	10%
Temp Order DENIED after Ex Parte Hearing, no Evidentiary Hearing Scheduled	-21%
Temp Order Dismissed after Evidentiary Hearing	-24%



# Common Pleas Orphans' Court: Filings



## Percent change

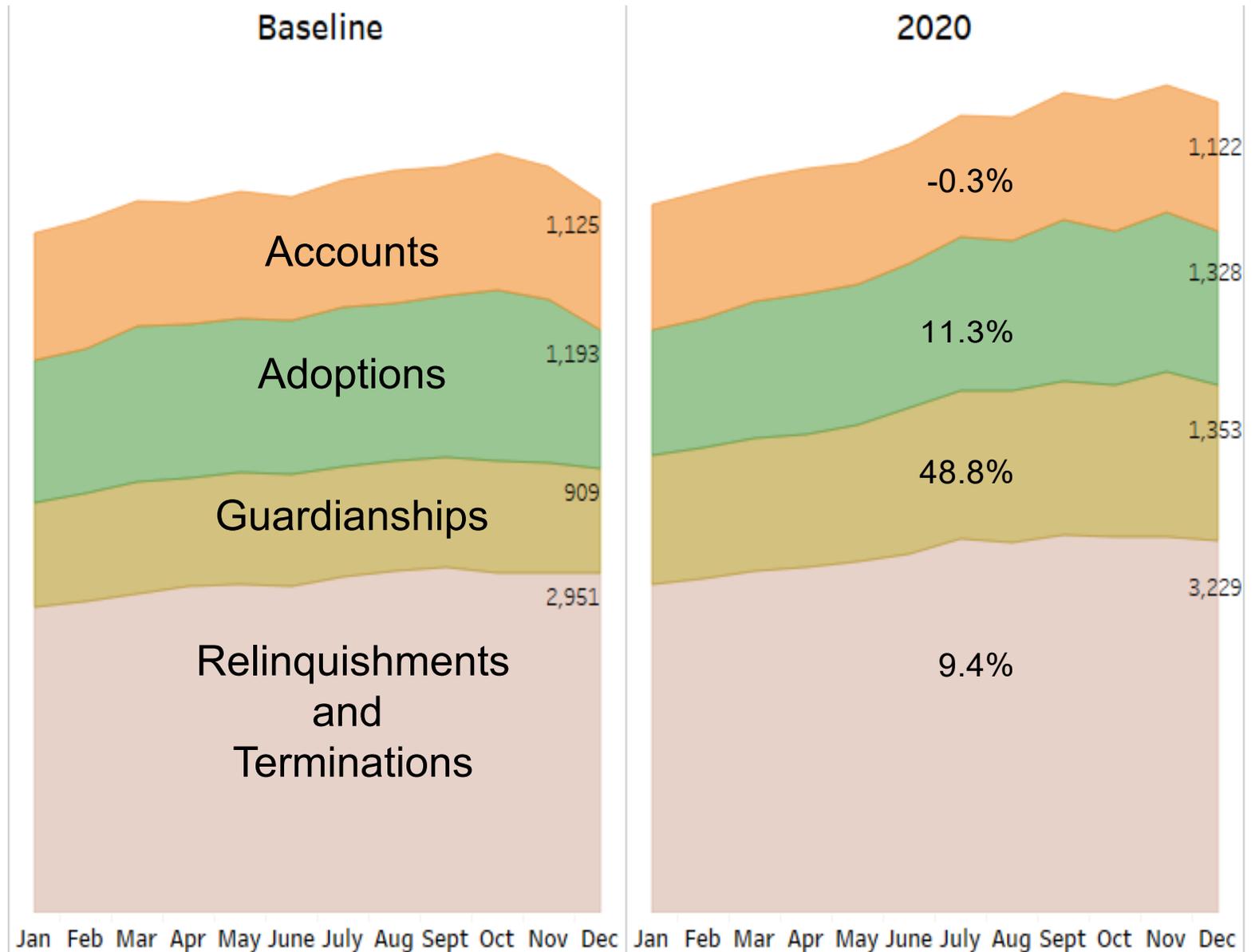
Case Type	Dec base – Dec 20	YTD	Missing
Guardianships	11%	-10%	5%
Adoptions	-15%	-27%	3%
Relinquishments/Terminations	-21%	-30%	3%

# Common Pleas Orphans' Court: Active Cases Awaiting Disposition

While the adjudication of pending Orphans' Court matters abruptly slowed during the early weeks of the judicial emergency, filings also decreased significantly.

As a result, the number of Accounts and Adoptions pending adjudication are **slightly fewer than the baseline months of past years**, though the cases in the inventory are likely to be older as a result of pandemic related delays.

There is a 48.8% increase in the pending Guardianship inventory as compared to baseline years, despite 1% fewer filings this year. This suggests a slower pace of adjudication of these cases.



# Philadelphia Municipal Court: Non-criminal

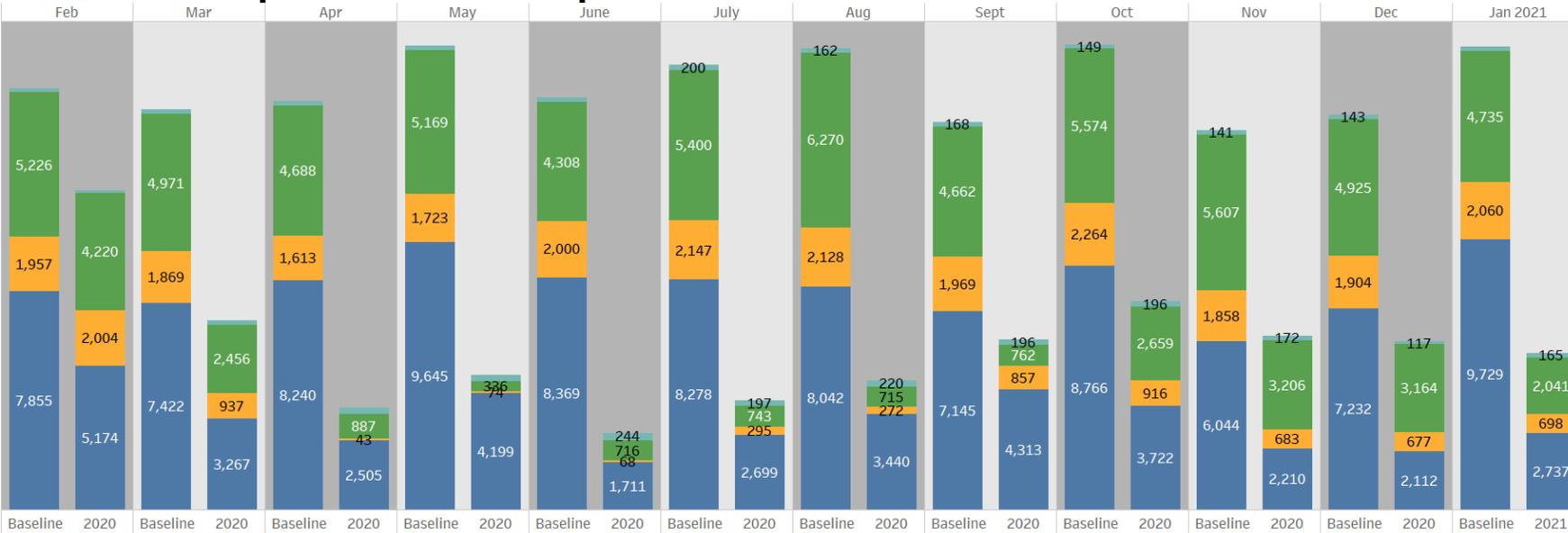
Percent change

Case Type	Jan base – Jan 2021	YTD
Emergency PFA	5%	11%
Civil	-57%	-69%
Landlord/Tenant	-66%	-71%
Traffic	-72%	-63%

The number of all filings remain sharply suppressed with the exception of Emergency PFAs which are only 18% lower at this point in the year than in baseline years.

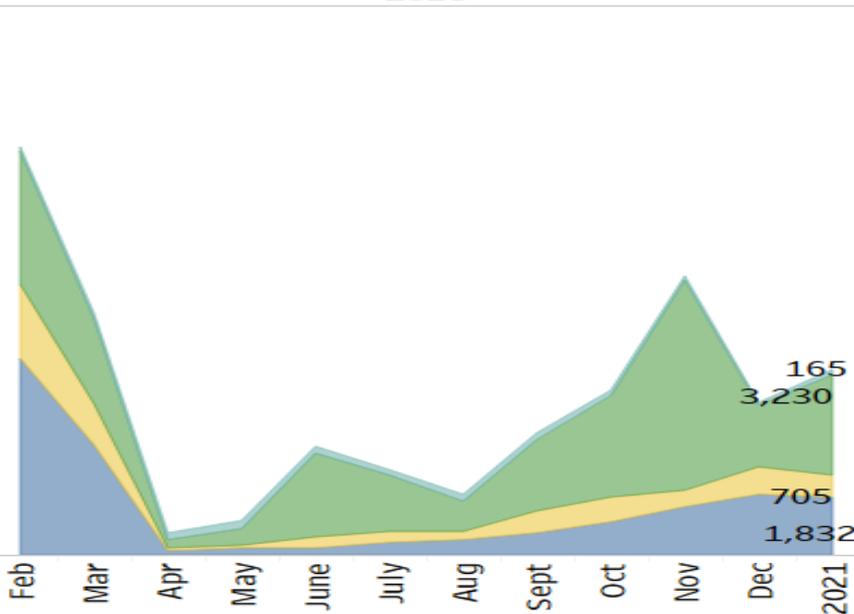
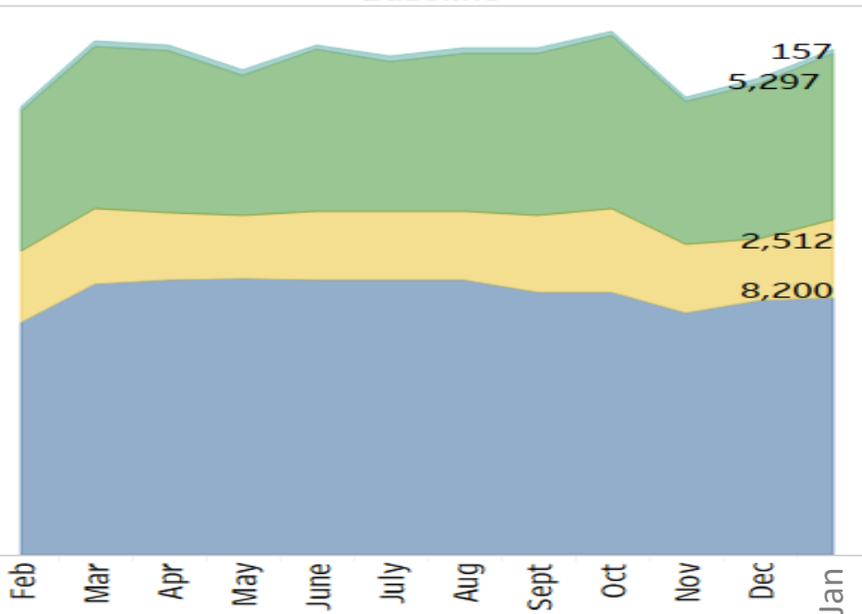
Percent change

Case Type	Jan base – Jan 2021	YTD
Emergency PFA	5%	11%
Civil	-39%	-54%
Landlord/Tenant	-70%	-72%
Traffic	-78%	-84%

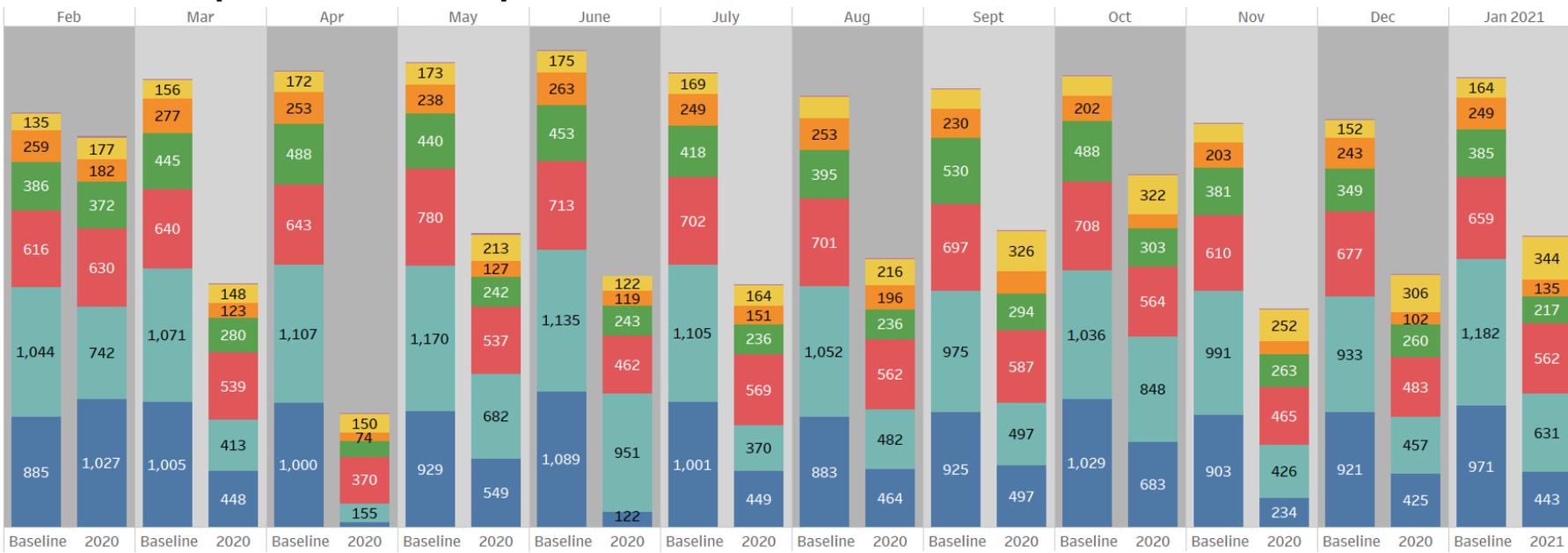


Baseline

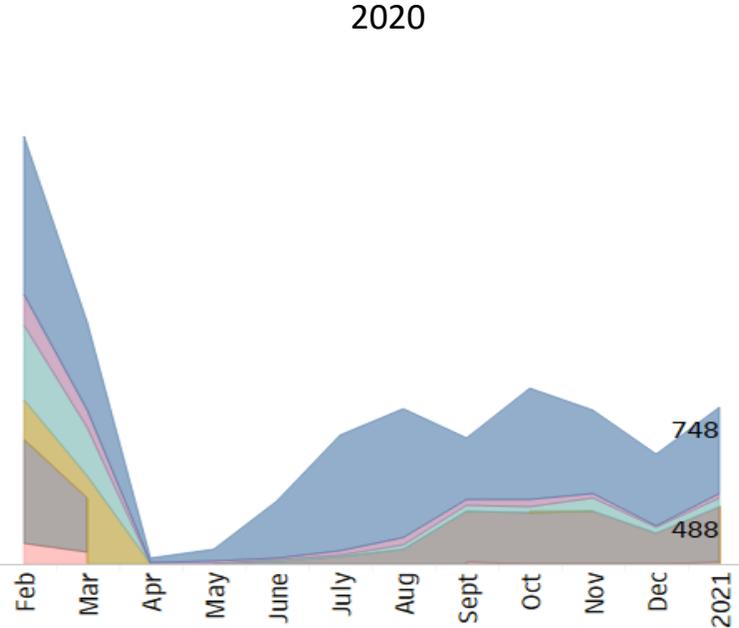
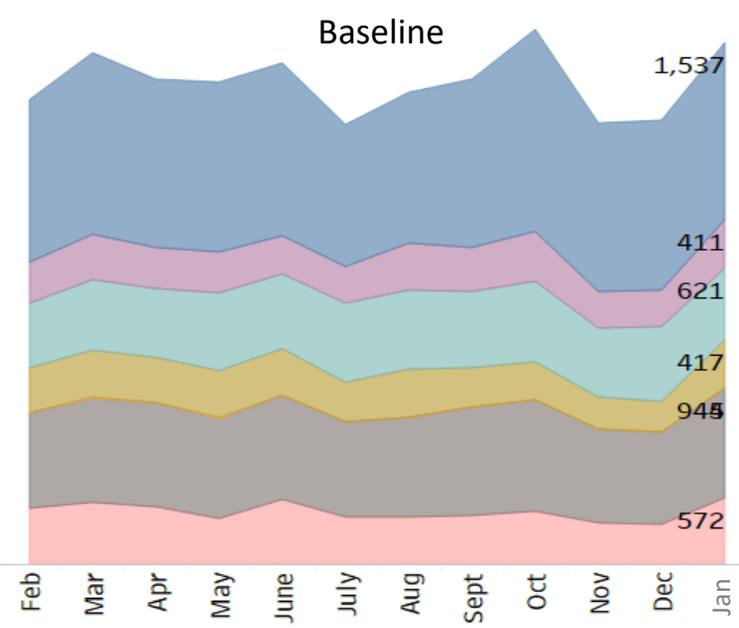
2020



# Philadelphia Municipal Court: Criminal



Case Type	Percent change	
	Jan Base - Jan 2021	YTD
Motor Vehicle	150%	15%
Weapon	110%	22%
DUI	-46%	-15%
Public Order	-44%	-45%
Person	-15%	-29%
Property	-47%	-53%
Drug	-54%	-23%

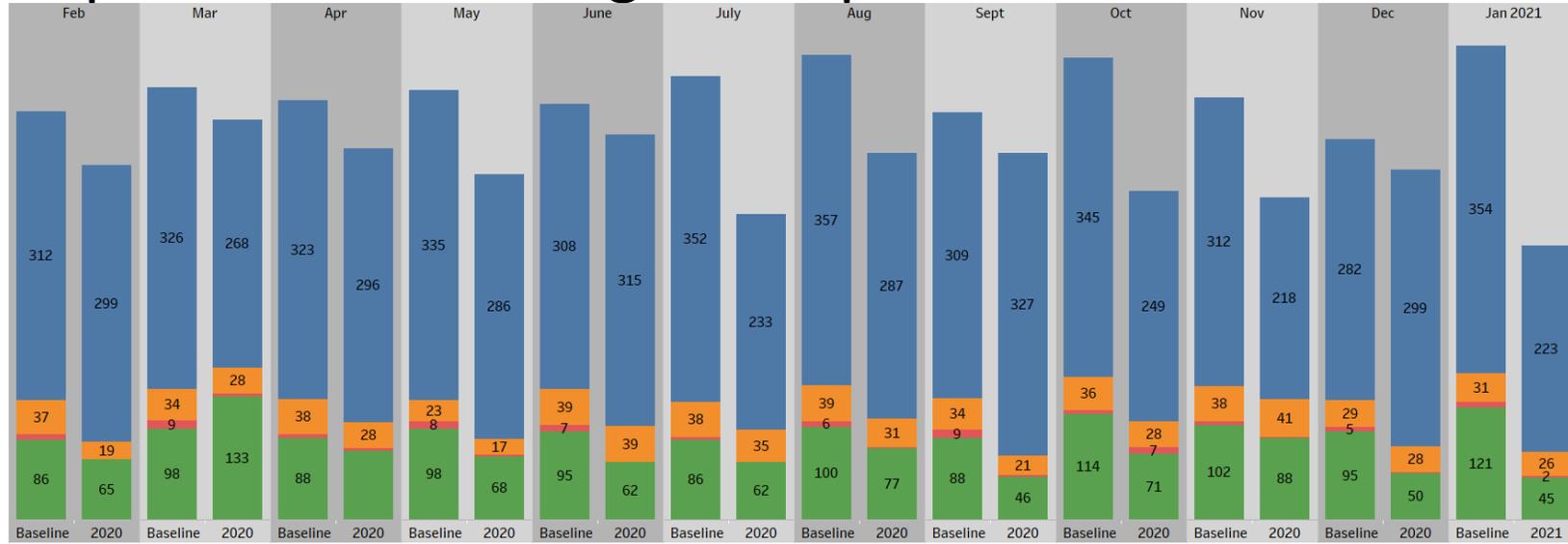


In January 2021, the Clearance Rate was **58 %**, which means that for almost every 10 new cases filed, a little more than 5 cases were disposed.

The majority of these dispositions (**65 %**) were **DISMISSALS**.

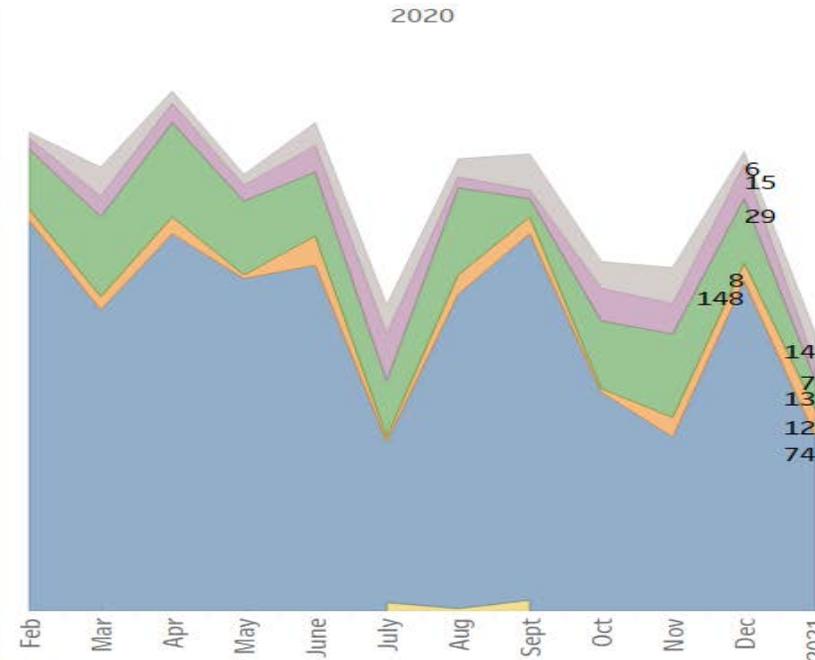
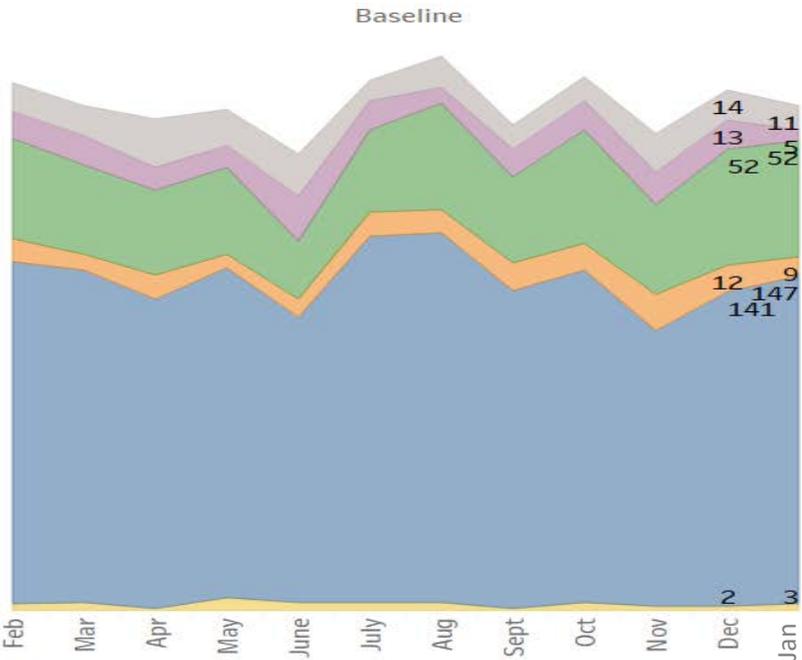
Disposition Type	N =	Percent change	
		Jan base - Jan 2021	YTD
Dismissals	748	-51%	-52%
Guilty Pleas	42	-90%	-82%
Inactive cases	63	-90%	-81%
No penalty	3	-99%	-88%
Other	1	0%	-93%
Transfers	488	-48%	-65%
Trial/Non-Trial	9	-98%	-95%

# Supreme Court: Filings & Dispositions



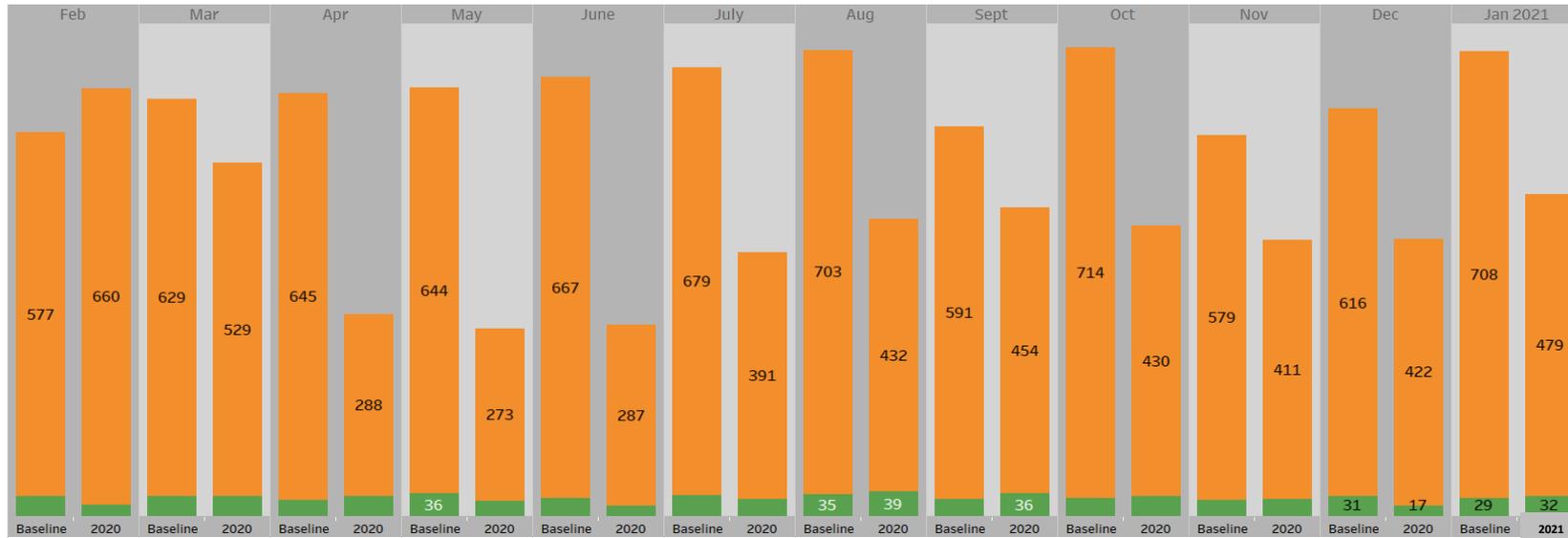
The Miscellaneous docket include Petitions for Review, Original Jurisdiction (Mandamus, Habeas, Prohibition, Quo Warranto), Petitions for King's Bench Review or Extraordinary Relief, and Petitions for Certification of Questions of Law.

Filings	Percent change	
	Jan base -	YTD
Allocatur	-37%	-55%
Direct appeal	-16%	-24%
Capital appeal	-67%	-72%
Miscellaneous	-63%	-32%



Dispositions	Percent change	
	Jan base -	Jan 21
Withdrawn/Dismissed/ Remanded (14)	27%	-37%
Single Judge Dispositive Order/ Opinions (7)	40%	-19%
Majority Opinions (13)	-75%	-40%
Allocatur Granted (12)	33%	-40%
Allocatur Denied (74)	-50%	-15%
Other (4)	33%	-66%

# Superior Court: Filings & Dispositions



## Filings

Percent change

Filing type	Jan base - Jan 21	YTD
Appeal	-32%	-41%
Miscellaneous	10%	-18%

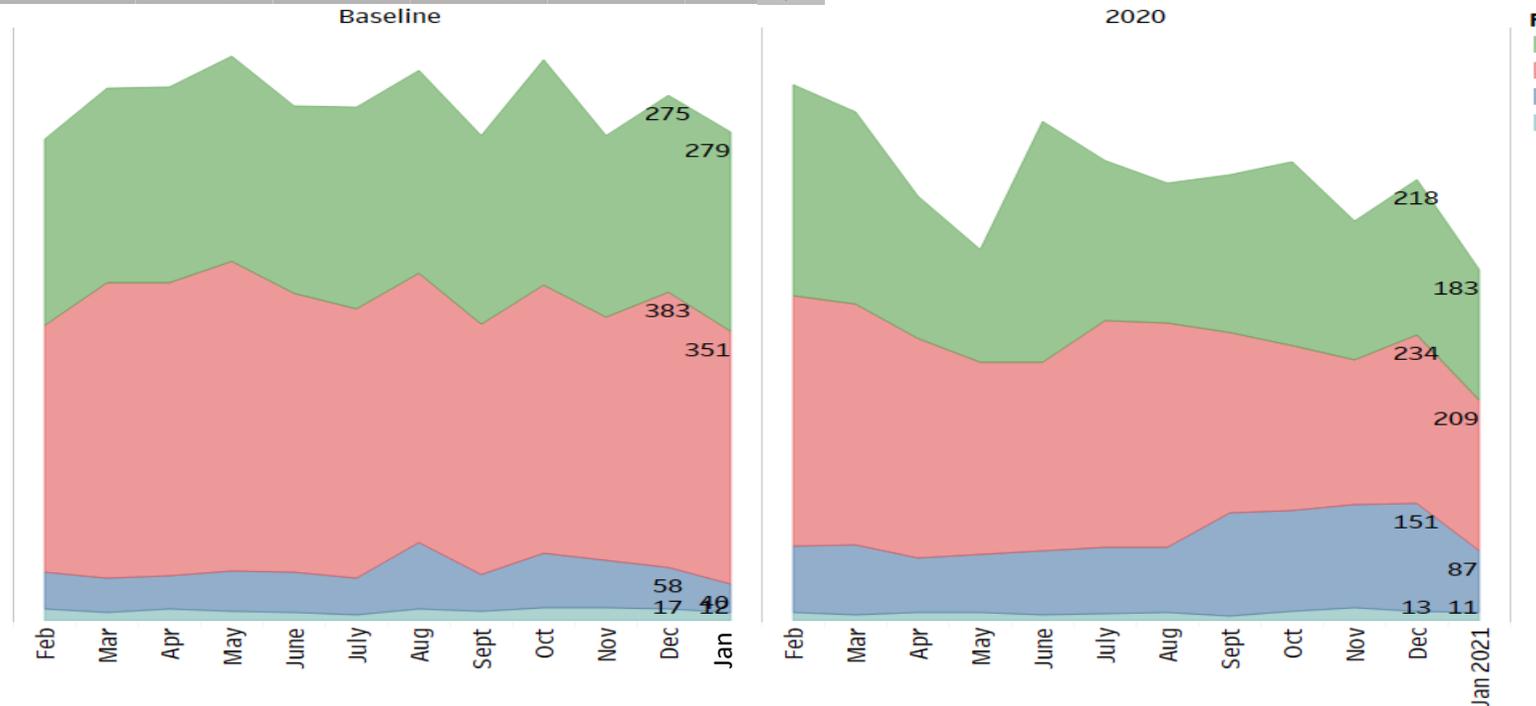
## Dispositions

Percent change

Disposition type

Jan base - Jan 21 YTD

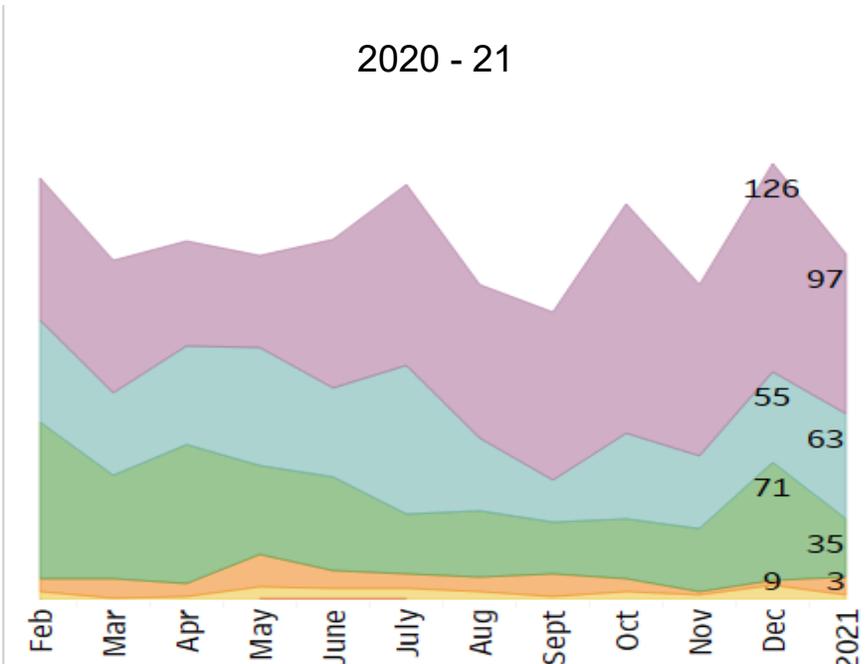
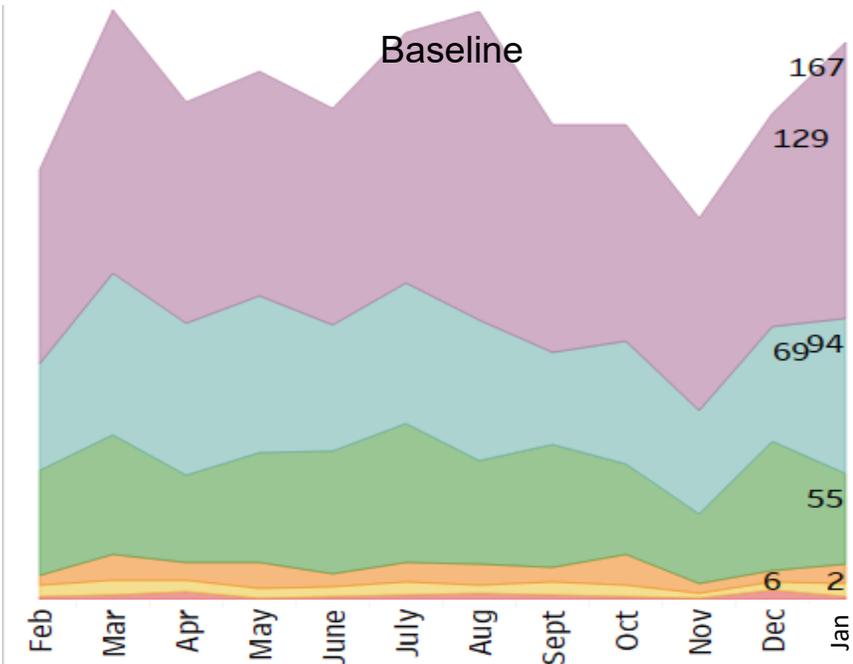
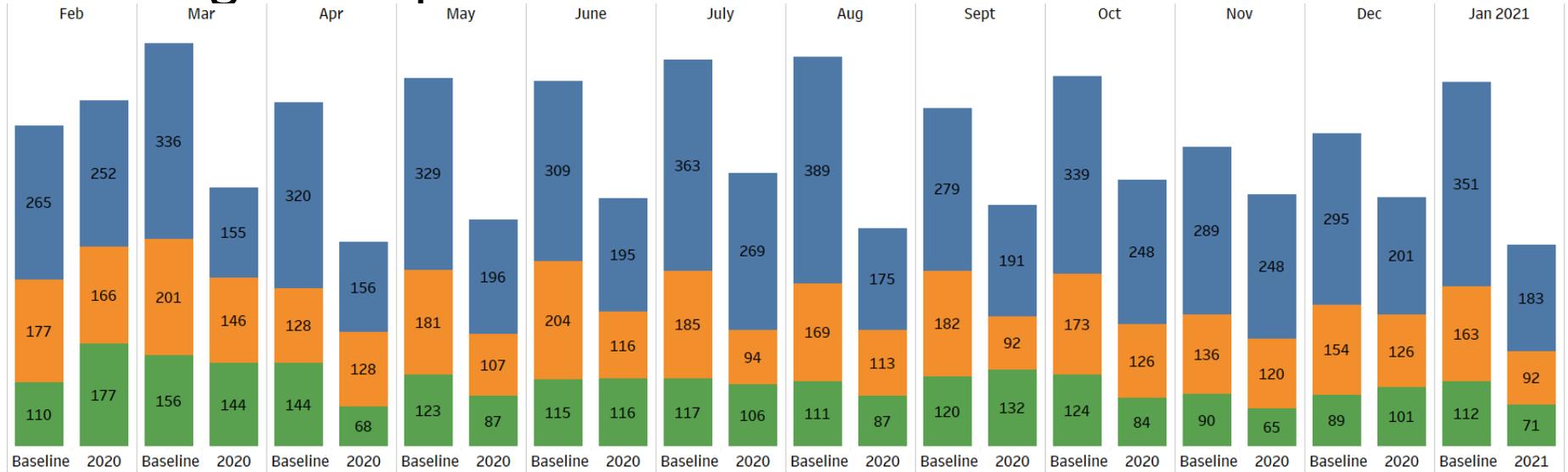
Withdrawn/Dismissed/Remanded	-34%	-22%
Single Judge Disposition Order	-40%	-32%
Majority Opinion	118%	73%
Transferred	-8%	-28%



# Commonwealth Court: Filings & Dispositions

Percent change

Filing type	Jan base- Jan 21	YTD
<b>Commonwealth</b>	<b>-48%</b>	<b>-41%</b>
<b>Finance &amp; Revenue</b>	<b>-44%</b>	<b>-35%</b>
<b>Miscellaneous</b>	<b>-37%</b>	<b>-17%</b>



## Dispositions

Disposition type	Percent change	
	Jan base- Jan 21	YTD
Withdrawn/Dismissed/Remanded (126)	-42%	-43%
Single Judge Disposition Order (55)	-33%	-36%
Stipulation of Judgment (71)	-36%	-23%
Majority Opinion (3)	0%	-20%
Transferred (9)	-63%	-37%
Other (N = 1 Baseline v. 0 for 2020)	-100%	-88%

## End Notes

### COMMON PLEAS CIVIL:

For December 2020, 10 counties have yet to submit their Civil Court Report (as of 2/7/2021). These counties account for 15% of the total of Civil filings annually.

- ✓ Of note, among counties yet to submit reports for December are Delaware County – accounting for 5% of the state total, Northampton County - accounting for 3%, and Lackawanna and Washington Counties – each accounting for 2% of the state total.

### COMMON PLEAS FAMILY:

- Custody & Divorce: for December 2020, 8 counties have yet to submit their reports (as of 2/7/2021), accounting for 8% of the state total annually.
  - ✓ Custody cases: of note, counties yet to submit include or Delaware and Northampton Counties, each accounting for 2% of the total filings annually.
  - ✓ Divorce cases: of note, counties yet to submit include Delaware County - accounting for 3% of the total filings annually, and Northampton County - accounting for 2% of the total filings annually.
- PFA: for December 2020, 7 counties have not submitted their reports (as of 2/7/2021), accounting for 9% of the total new cases filed annually.
  - ✓ Of note, counties that have not submitted December reports are, Delaware County - accounting for 5% of the annual total, and Northampton County - accounting for 3% of the annual total of new cases filed.

### COMMON PLEAS ORPHANS' COURT:

For December 2020, 3 counties have yet to submit their reports (as of 2/7/2021). These counties are Delaware, Lycoming and Mifflin.

- Adoptions: the 3 counties yet to submit reports account for 3% of the total annual filings.
- Relinquishments/Terminations: the 3 counties yet to submit reports account for 3% of the total annual filings.
- Guardianship: the 3 counties yet to submit reports account for 5% of the total annual filings.