

Where are we after year 2 (the 2020/21 fiscal year)?

INTRODUCTION AND OVERVIEW

At the beginning of the fiscal year in 2019/20 fiscal year, the Jamaican Court system established a set of critical quantitative targets geared towards monitoring the progress towards becoming the best court system in the Caribbean Region by the end of the 2022/23 fiscal year and among the bests in the world by the end of 2024/2025. Two of these primary targets are the attainment of a court-wide case clearance rate of roughly 130% by the end of the 2024/2025 fiscal year and a court-wide trial date certainty rate of approximately 95% over the same period. It has been computed that achieving these targets will reduce the net case backlog rate to below 5% and thus ensure that the average time to disposition across the courts remain under two (2) years.

This document focuses on highlighting where we are as a court system after the second of the six-year track (i.e. the 2020/21 fiscal year) as well as where we need to be at the end of year three (i.e. the 2021/22 fiscal year) in order to stay on course with the key clearance and trial certainty rate targets. Importantly, the document also highlights vital statistics for required case disposals to enhance the probability of achieving the key numerical targets in the upcoming fiscal year.

The 2020/21 fiscal years is very unique in human history and the history of the courts due to the adverse effects of the COVID-19 pandemic on overall activity. Overall court activity in the Jamaican courts system fell by over 20% when compared to the corresponding fiscal year in 2019/20.

The statistical estimation and mathematical tools applied in generating the ensuing output includes regression analyses, method of moments, Lagrange multipliers, exponential smoothing

and Laplace transformations. In determining the targeted performance rates and quantum of cases to be resolved in future years, the Lagrange multipliers take into account the past four periods of performance and the lowest possible incremental differential in achieving the ultimate targeted rate.

Table 1.0: Estimated gross backlog rate – where is the Jamaican Court system

Jurisdiction	Estimated baseline gross backlog rate (%)	Estimated gross backlog rate at the end of year 2 (%)	Required gross case backlog rate as at March 31, 2026 (%)
Parish Courts*	29.19	15.23	<=10%
Supreme Court	30.25	28.10	<=10%

**Traffic Courts are excluded from this estimate.*

NB: The margin of error of the estimates is $\pm 3.5\%$

Despite the constraints imposed by COVID-19 pandemic on court operation, the gross case backlog rate in both the Supreme Court and the Parish Courts declined in the 2020/21 fiscal year. The gross case backlog rate in the Parish Courts as at the end of the 2020/21 fiscal year was 15.23%, a notable decline of **7.94** percentage points when compared to the previous fiscal year. The gross backlog rate for the Supreme Court at the end of the 2020/21 fiscal year was 28.10%, a slight improvement of **1.05%** when compared to the previous fiscal year.

Table 2.0: Estimated net case backlog rate – where is the Jamaican Court system

Jurisdiction	Estimated baseline net case backlog rate (%)	Estimated net case backlog rate at the end of year 2 (%)	Required net case backlog rate as at March 31, 2026 (%)
Parish Courts*	17.38	11.13	<=5%
Supreme Court	27.95	21.97	<=5%

**Traffic Courts are excluded from this estimate.*

NB: The margin of error of the estimates is $\pm 3.95\%$

The above data summarizes the progress made by the courts after year one towards reducing the net case backlog rates to below the 5% mark. At the end of the 2020/21 fiscal year, the net case backlog rate in the parish courts was 11.13%, **an improvement of 5.84 percentage points** when compared to the previous fiscal year. The Supreme Court registered a net case clearance rate of 21.97% for 2020/21 fiscal year which is a **3.94 percentage points reduction** when compared to the previous fiscal year.

Table 3.0: Estimated average time taken to dispose cases in the Jamaican Court system for the 2020/21 fiscal year

Jurisdiction	Estimated mean time to disposition	Standard deviation
Parish Courts	1 year and 1 months	4.5 months
Supreme Court	2 years and 2 months	7.5 months

**Traffic Courts are excluded from this estimate.*
NB: The margin of error of the estimates is ±3.5%

The above table summarizes the average time taken to dispose of cases in the Parish Courts and the Supreme Court. The Supreme Court recorded an average time to disposition of 2 years and 2 months for the 2020/21 fiscal year with a standard deviation of 4.5 months. This was an **improvement of one month** when compared to the previous fiscal year. The Parish Courts on the other hand recorded a mean time to disposition of a year and a month, which is a **two-month improvement** when compared to the previous year.

REVIEW OF COURTS AND BUSINESS LINES AFTER THE COMPLETION OF YEAR ONE 2020/2021

PARISH COURTS – CRIMINAL DIVISION

Table 4.0: Parish Court Criminal – Case Clearance Rate as at March 31, 2021

Parish Court	Baseline Case Clearance Rate (%)	Variance between actual and required rate after 6 years (%)	Required Clearance Rate After Year 2 (%) [i.e. the 2020/21 fiscal year]	Actual Clearance Rate After Year 2	Deficit/Surplus after year 2	Desired minimum clearance rate at the end of year 3 (%) [i.e. the 2021/22 fiscal year]	Required Average Case Clearance Rate as at March 31, 2025 (%)
Manchester	62.99	66.18	90.01	120.02	+30.01	105.45	129.17
Clarendon	37.73	94.9	85.80	94.76	+8.96	109.67	132.63
St. Catherine	81.23	52.83	104.54	96.02	-11.52	106.32	132.06
St. Thomas	75.5	57	93.72	112.43	+18.71	107.55	145.50
Portland	68.02	46.01	89.17	102.22	+13.05	105.32	114.03
St. Mary	71.47	58.04	88.54	105.73	+17.19	100.54	129.51
St. James	78.75	43.75	89.58	101.39	+11.81	103.56	122.50
Corporate Area Court-Criminal Division	76.25	47.86	91.97	170.75	+78.78	101.97	124.11
Westmoreland	85.36	37.72	110.25	107.30	-2.95	100.54	123.08
Hanover	75.98	51.72	90.63	91.46	+0.83	100.63	127.70
St. Elizabeth	65.1	56.25	91.89	90.04	-1.85	101.89	121.35
St. Ann (including Brown's Town)	68.33	53.63	87.32	100.70	+13.38	109.52	121.96
Trelawny	58.53	67.11	89.11	99.66	+10.55	108.31	125.64
Weighted averages	71.15	56.98	92.50	107.11	+14.61	104.71	128.13

Note: All rates represent standardized weighted averages

Overall, the criminal division of the parish courts exceeded the targeted case clearance rate by 14.61 percentage points, having averaged 107.11% at the end of the 2020/21 fiscal year (i.e. year 2). The overall targeted case clearance rate for year 3 is 104.71% and the targeted

rate for March 31, 2025 is 128.13%, the figure required to bring the overall net case backlog rate below 5% by that time.

Table 5.0: Required minimum average number of cases to be resolved in the criminal courts for the 2021/22 fiscal year (i.e. year 3)

Parish Court	Required number of case resolutions
Manchester	1359
Clarendon	1580
St. Catherine	2921
St. Thomas	919
Portland	1286
St. Mary	890
St. James	1578
Corporate Area Court- Criminal Division	4896
Westmoreland	1619
Hanover	1018
St. Elizabeth	1375
St. Ann (including Brown's Town)	1834
Trelawny	872
Total	22147

NB: The expected number of new cases to be filed in year 3 is 21092

The criminal division of the parish courts will need to dispose a minimum of 22,147 cases in order to achieve the overall case clearance rate of 104.71% in the 2021/22 fiscal year.

Table 6.0: Parish Court Criminal – Trial date certainty rates as at March 31, 2021

Parish Court	Baseline Trial Date Certainty Rate	Variance between baseline and required rates	Required rate at the end of year 2 [i.e. 2020/21 fiscal year]	Actual rate at the end of year 2	Deficit/Surplus after year 2	Required minimum rate at the end of year 3 [i.e. the 2021/22 fiscal year]	Required rate at the as at March 31, 2025
Manchester	74	20	80.95	82	+1.05	81.35	94
Clarendon	72	23	81.15	53	-28.15	89.45	95
St. Catherine	78	14	84.98	65	-19.98	89.71	92
St. Thomas	68	28	78.05	77	-1.05	80.12	96
Portland	77	16	82.98	93	+10.02	82.95	93
St. Mary	67	29	82	77	-5	83.11	96
St. James	80	11	82.92	90	+7.08	83.09	91
Corporate Area Court-Criminal Division	65	30	75.62	70	-6.62	80.02	95
Westmoreland	85	5	87	66	-21	89.13	90
Hanover	66	29	76.14	58	-18.14	84.12	95
St. Elizabeth	71	22	74.96	81	+6.04	81.56	93
St. Ann (including Brown's Town)	74	19	79.85	60	-19.85	83.49	94
Trelawny	72	21	77.26	89	11.74	88.25	93
Overall Weighted Averages	73.02	20.54	80.30	73.92	-6.38	84.06	93.51

Note: All rates represent standardized weighted averages

Overall, the criminal division of the parish courts fell short of the targeted trial date certainty rate by 6.38 percentage points, having averaged 73.92% in the 2020/21 fiscal year (year 2). The targeted case trial date certainty rate for year 3 (the 2021/22 fiscal year) is 84.06% and the targeted rate for March 31, 2026 is 93.51%, the figure required to bring the net case backlog rate below 5%.

PARISH COURTS – CIVIL DIVISION

Table 7.0: Parish Court – Case Clearance rate on civil cases as at March 31, 2021

Parish Court	Baseline Case Clearance Rate	Variance between actual and required clearance rate	Required clearance rate after year 2 [i.e. 2020/21 fiscal year]	Actual clearance rate at the end of year 2 [i.e. the 2020/21 fiscal year]	Deficit/Surplus at the end of year 1 [i.e. the 2020/21 fiscal year]	Required rate at the end of year 3 [i.e. 2021/22 fiscal year]	Required rate as at March 31, 2025
Manchester	60.15	71.08	83.51	112.34	+28.83	101.32	127.23
Clarendon	46.15	86.26	75.05	90.17	+15.12	100.87	132.41
St. Catherine	78.54	44.67	97.78	96.01	-1.77	99.56	123.45
St. Thomas	71.50	53.62	80.01	107.21	+27.2	101.23	125.12
Portland	69	57.12	77.99	116.11	+38.12	105.14	126.12
St. Mary	68.12	57.2	80.05	101.54	+21.49	100.04	125.32
St. James	74.34	49.16	82.47	71.15	-11.32	102.31	123.50
Corporate Area Court-Civil Division	70.15	52.32	80.17	143.19	+63.02	133.12	122.47
Westmoreland	76.15	43.43	89.01	92.56	+3.55	103.01	119.58
Hanover	71.21	52.24	83.88	114.97	+31.09	110.11	123.45
St. Elizabeth	64.32	60.03	78.95	65.45	-13.5	106.12	124.35
St. Ann (including Brown's Town)	67.25	56.71	84.07	73.45	-10.62	104.05	123.96
Trelawny	60.50	67.31	81.23	85.46	+4.23	100.21	127.81
Weighted Averages	69.98	54.56	82.63	97.66	+15.03	105.16	124.54

Note: All rates above represent standardized weighted averages

Overall the civil division of the parish courts exceeded the targeted case clearance rate by 15.03 percentage points, having averaged 97.66% in the fiscal year 2020/21. The targeted case clearance rate for year 3 (i.e. the 2021/22 fiscal year) is 105.16% and the targeted rate for March 31, 2025 is 124.54%, the figure required to bring the net case backlog rate below 5%.

Table 8.0: Required minimum average number of cases to be resolved in the civil courts for the 2021/22 fiscal year (i.e. year 3)

Parish Court	Required number of case resolutions
Manchester	1194
Clarendon	826
St. Catherine	3062
St. Thomas	522
Portland	304
St. Mary	651
St. James	1813
Corporate Area Court-Civil Division	6439
Westmoreland	1083
Hanover	417
St. Elizabeth	1307
St. Ann (including Brown's Town)	2025
Trelawny	590
Total	19233

NB: The expected number of new cases to be filed in year 3 is 18,289.

The civil division of the parish courts will need to dispose 19233 cases in order to realize targeted case clearance rate in years 3 (the 2021/22 fiscal year).

Table 9.0: Parish Court Civil – Trial date certainty rates as at March 31, 2020

Parish Court	Baseline Trial Date Certainty Rate	Variance between baseline and required rates	Required rate after year 2 [i.e. the fiscal year ended March 31, 2021]	Actual rate after year 2	Deficit/Surplus after year 2	Required rate at the end of year 3 [i.e. the 2021/22 fiscal year]	Required rate at the as at March 31, 2025
Manchester	72	20	80.95	75.87	-5.08	88.12	95
Clarendon	71	23	81.15	89.12	+7.97	89.87	95
St. Catherine	76	14	84.98	85.79	+0.81	87.28	94
St. Thomas	66	28	78.05	57.24	-20.81	90.13	95
Portland	74	16	82.98	72.53	-10.45	85.16	94
St. Mary	69	29	82	53.41	-28.59	89.10	95
St. James	79	11	82.92	85.41	+2.49	86.04	93
Corporate Area Court-Civil Division	64	30	75.62	81.13	+5.51	86.52	93
Westmoreland	86	5	87	90.76	+3.76	88.97	94
Hanover	66	29	76.14	78.85	+2.71	81.15	95
St. Elizabeth	69	22	74.96	69.98	-4.98	82.08	93
St. Ann (including Brown's Town)	75	19	79.85	78.02	-1.83	83.14	94
Trelawny	70	21	77.26	89.43	+12.17	84.65	95
Overall Weighted Averages	73.02	20.54	80.30	77.50	-2.8	86.32	94.23

*Note: All rates represent standardized weighted averages. *Crude estimate*

Overall, the civil division of the parish courts fell short of the targeted trial date certainty rate by 2.8 percentage points, having averaged 77.50%. The targeted trial date certainty rate for year 2 is 86.32% and the targeted rate for March 31, 2025 is 94.23%, the figure required to bring the net case backlog rate below 5%.

SUPREME COURT

Table 10.0: Clearance rate summary for the Divisions of the Supreme Court, the Gun Court and the Revenue Court as at March 31, 2021

Division of the Supreme Court	Baseline Clearance Rate (%)	Variance between baseline and required case clearance rate	Required rate after year 2 [i.e. the 2020/21 fiscal year]	Actual Rate After Year 2	Deficit/Surplus after year 2	Required rate at the end of year 3 [i.e. as at the 2021/22 fiscal year]	Required rate as at March 31, 2025
High Court Civil Division	24.18	121.31	84.61	41.06	-43.55	88.15	145.49
Home Circuit Court	33.49	106.41	77.81	79.82	+2.01	84.42	139.90
Matrimonial Division	74.06	41.50	89.25	85.05	-4.20	90.24	115.56
Probate Division	83.83	25.87	92.98	82.14	-10.84	93.10	109.70
Gun Court	97.49	7.79	102.92	115.06	+12.14	101.23	105.28
Revenue Court	73	24.50	82.81	166.67	+83.86	102.19	97.50
Commercial Division	60.00	54	77.85	42.38	-35.47	80.52	114.00
Weighted Averages	62.23	55.47	87.12	65.67	-21.45	90.84	118.50

NB: The baseline index is based on data over the period 2016-2018. This measure takes into account the relative caseload of the different Divisions of the Supreme Court.

Overall, the Supreme Court fell short of the targeted case clearance rate for the 2020/21 fiscal year by 21.45 percentage points. The overall targeted case clearance rate for year 3 (i.e. the

2021/22 fiscal year is 90.84% and the targeted rate for March 31, 2025 is 118.50%, the figure required to bring the net case backlog rate below 5% in the Supreme Court as a whole.

Table 11.0: Required minimum average number of cases to be resolved in the Divisions of the Supreme Court in the 2021/22 fiscal year (i.e. year 3)

Division of the Supreme Court	Required minimum number of case resolutions
High Court Civil Division	4550
Home Circuit Court	222
Gun Court	408
Matrimonial Division	3329
Probate Division	2515
Commercial Division	425
Revenue Division	11
Total	11460

NB: The expected number of new cases to be filed in year 3 is 12,616.

The Supreme Court will need to dispose of a minimum of 11460 cases in the 2021/22 fiscal year (year 3) in order to achieve the targeted case clearance rate in that year.

Table 12.0: Supreme Court – Trial date certainty rates as at March 31, 2021

Division of the Supreme Court	Baseline Trial Date Certainty Rate	Variance between actual and required trial date certainty rate (%)	Required rate at the end of year 2 [i.e. the 2021/22 fiscal year]	Actual rate at the end of year 2	Deficit/Surplus after year 2	Required rate at the end of year 3[i.e. the 2021/22 fiscal year]	Required rate as at March 31, 2025
High Court Civil Division	63.91	34.09	79.24	72.05	-7.19	83.15	98
Home Circuit Court	67.26	27.74	75.99	65.00	-10.99	82.16	95
Matrimonial Division	78.07	13.93	91.45	73.31	-18.14	91.97	92
Probate Division	75.53	14.47	87.13	70.64	-16.49	90.15	90
Gun Court	55.93	39.07	77.93	65.21	-12.72	85.16	95
Commercial Division	91.73	3.27	94.98	69.90	-25.08	87.12	95
Revenue Court	72.19	21.81	84.95	80.00	-4.95	85.03	94
Weighted Averages	69.41	25.69	84.50	70.87	-13.63	86.39	95.10

NB: The baseline index is based on data over the period 2016-2018. This measure takes into account the relative caseload of the different Divisions of the Supreme Court.

Overall, the Supreme Court fell short of the targeted trial date certainty rate by 13.63 percentage points, having averaged 70.87% in the 2020/21 fiscal year. The overall targeted trial date certainty rate for year 3 (the 2021/22 fiscal year) is 86.39% and the targeted rate for March 31, 2025 is 95.10%, the figure required to bring the net case backlog rate below 5%.

SPECIALIZED COURTS/SELECTED BUSINESS LINES

Table 13.0: Clearance rate projections for the Specialized Parish Courts/Business lines as at March 31, 2021

Parish Court/Business Line	Baseline Case Clearance Rate (%)	Variance between actual and required case clearance rates	Required clearance rate at the end of year 2 [i.e. the 2020/21 fiscal year]	Actual clearance rate at the end of year 2	Deficit/Surplus after year 2	Required clearance rate at the end of year 3	Required clearance rate as at March 31, 2025
The Rural Circuit Courts ***	42.15	94.97	78.59	81.23	+2.64	86.12	137.12
Corporate Area Tax Court	72.15	45.08	96.34	88.12**	-8.22	98.06	117.23
Corporate Area Family Court	72.01	47.13	97.11	135.14	+38.03	100.05	119.14
Western Regional Family Courts	74.17	43	95	96.34	+1.34	99.58	117
Trelawny Family Court	73.45	31.05	84.32	120.13	+35.81	97.34	104.50
Corporate Area Coroner's Court	79	27	91	124.40	+33.40	100.05	106
Special Coroner's Court	71.12	37.24	90.12	118.23	+28.11	99.95	111.24
Corporate Area Traffic Court*	35.25	290.07	134.54	15.87	-118.67	179.15	315.32
Western Regional Gun Court	54.19	78.65	80.51	73.52	-6.99	83.56	132.84

NB: The baseline index is based on data over the period 2016-2018. This measure takes into account the relative caseload of the different Divisions of the Supreme Court.

*Clearance rate is acutely affected by the large number of warrants issued which are not executed.

**Margin of error of plus or minus 5%.

***Includes the High Court Division of the Gun Court operating in the rural parishes but excludes the Western Regional Gun Court and the High Court Division of the Gun Court operating at the Supreme Court.

Table 14.0: Required minimum average number of cases to be resolved in the specialized courts for the 2021/22 fiscal year in order to realize

Parish Court	Required number of case resolutions
Rural Circuit Courts	637
Corporate Area Family Court	2472
Western Regional Family Courts	5255
Corporate Area Coroner's Court	345
Special Coroner's Court	150
Corporate Area Traffic Court	223,269
Western Regional Gun Court	289

COURT OF APPEAL

Table 15.0a: Clearance rate projections for the Court of Appeal (inclusive of matters with outstanding transcripts and civil record proceedings) as at March 31, 2021

Court	Baseline Case Clearance Rate	Variance between the baseline and required case clearance rates	Required case clearance rate at the end of year 2 [i.e. the 2020/21 fiscal year]	Actual case clearance rate at the end of year	Deficit/ Surplus at the end of year 1	Required case clearance rate at the end of year 3	Required case clearance rate as at March 31, 2025
Court of Appeal	67*	65.15	95.01	81**	-14.01	86.50	124.15**

NB: The above data is derived using the 2020 calendar year as a proxy.

*The baseline index is based on data over the period 2015-2018.

**Figure computed based on published output in the Court of Appeal Annual 2020 Report.

**Projection adjusted downward from the previous year.

When transcripts and civil record proceedings which are outstanding on new cases filed in 2020 are included, the Court of Appeal registered an estimated

case clearance rate of 81.0% during the year. This represents a shortfall of 14.01 percentage points when compared the targeted rate of 95.01% for the second year of the six year monitoring exercise. After six years, the Court of Appeal should acquire an estimated case clearance rate of 124.15% in order to reduce its net case backlog rate to below the desired rate of 5%.

Table 15.0b: Required minimum average number of cases to be resolved in the Court of Appeal in the 2021/22 fiscal year (i.e. year 3)

Required number of disposed appeals in the 2021/22 fiscal year
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REGRESSION AND CORRELATION ANALYSIS AND INSIGHTS

A correlation analysis was done on the various courts, exploring the nature of the explanatory relationship between trial date certainty rates and clearance rates. In theory, higher trial date certainty rates are expected to be associated with higher clearance rates and shorter time to disposition of cases. The empirical outcomes from parish court sample data revealed that only about 20% (*adjusted R² = 0.1921*) of the changes in the case clearance rates were explained by trial date certainty rates. The figure was notably higher for the Supreme Court which for which the output suggests that roughly 38% (*Adjusted R² = 0.3642*) of the changes in case clearance rates can be explained by the trial date certainty rates.

**The Statistics Unit
Supreme Court of Jamaica**

“While a lag measure tells you if you've achieved the goal, a lead measure tells you if you are likely to achieve the goal. No matter what you are trying to achieve, your success will be based on two kinds of measures: Lag and Lead. Lag tracks the success of your wildly important goal”