

IOP23. EQUALIZATION CREDIT FOR LONG TRIALS

To equalize workloads associated with unusually long jury or bench trials, a judge may, pursuant to the provisions of this Internal Operating Procedure (IOP), request an equalization credit. These provisions are applicable to all civil and criminal trials.

(a) Qualifying Trials. In any trial or group of trials (with or without a jury) arising in a proceeding held before the same judicial officer, an equalization credit may be sought where the total number of trial days is at least fifteen and the total number of trial hours is at least 67.5. For the purposes of this IOP, the terms “trial,” “trial day,” and “trial hours” have the same meanings as when used for purposes of the Administrative Office’s monthly JS-10 reporting requirements.

(b) Additional Equalization Credit(s). When a trial extends beyond the period established in section (A), additional equalization credit(s) may be requested. A judge may seek an additional equalization credit for each additional two trial day period with a combined total of at least nine trial hours.

(c) Applying Credit(s) for Equalization. A judge may choose how to apply the earned equalization credit(s). The equalization credit(s) earned can be applied to either or both the civil and criminal wheels. Credit can only be applied to a case assignment category (1, 2, 3, etc.) that is equal to or lower than the proceeding in which the equalization is earned.

(d) Request for Equalization. A judge may request the equalization credit(s) for a qualifying trial on an approved form within 90 days of the completion of the trial, absent exceptional circumstances as approved by the Executive Committee. The judge must indicate the following:

- (1) The case number, caption and the assignment wheel and category used for the case assignment of the qualifying trial.
- (2) The total number of hours and days of the trial.
- (3) The total number of equalization credits earned and requested pursuant to the provisions of sections A and B.
- (4) Indicate what wheel (civil or criminal) and category (1, 2, 3 etc.) the credit(s) should be applied.

Adopted June 29, 2023