

## AGENDA

### 12:00pm Meeting Convenes

**Item I. Welcome**

The Honorable Paul Alessandroni, Chair

**Item II. Committee Housekeeping**

A. Minutes of 01/31/2014 meeting

**Item III. End of Term Summary**

A. Recap of CSWC accomplishments

B. Draft of CSWC End of Term Summary

**Item IV. Outstanding Issues**

A. Uniform Data Reporting - Court Interpreter Hourly Reporting

**Item V. Possible Issues for FY 2014-2016 Term**

A. Judicial Weighted Workload Model Review

B. Judicial Data Management Services

C. Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)

D. Incorporation of Case-Event Definitional Framework

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**COMMISSION ON TRIAL COURT  
PERFORMANCE & ACCOUNTABILITY**  
Court Statistics and Workload Committee

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## **Item I.        Opening Remarks**

1. The Honorable Paul Alessandroni, Chair

## **Item II. Committee Housekeeping**

### **II.A. Minutes from 01/31/2014 Meeting**

#### **Minutes Court Statistics & Workload Committee Meeting January 31, 2014 Tampa, FL**

**The Honorable Paul Alessandroni, Chair**

**9:04 am Meeting convened**

Seven of the sixteen members were in attendance:

The Honorable Paul Alessandroni, The Honorable G. Keith Cary, The Honorable David H. Foxman, The Honorable Ilona M. Holmes, The Honorable Ellen S. Masters, Mr. Philip G. Schlissel, & Mr. Fred Buhl

Members absent:

The Honorable Shelley J. Kravitz, The Honorable J. Preston Silvernail (retired), The Honorable Barbara T. Scott (resigned), The Honorable Sharon Robertson, Ms. Diane Kirigin, Ms. Holly Elomina, Ms. Kathleen R. Pugh, Mr. David Trammell, & Mr. Grant Slayden

OSCA Staff in attendance:

Greg Youchock, P.J. Stockdale, Shelley Kaus, Kimberly Curry, & Patty Harris

### **Item I. Welcome**

Members and staff introduced themselves.

### **Item II. Committee Housekeeping**

#### **A. Minutes from 10/11/2013 Meeting**

1. Since a quorum was not reached, members agreed to take an email vote of the absent members.
2. The seven present members voted unanimously to adopt the minutes of the 10/11/2013 meeting.
3. Four additional votes to adopt the minutes were received via email; therefore, the minutes of the 10/11/2013 meeting were formally adopted.

#### **B. Travel Reimbursement**

1. Staff provided information on travel reimbursement.
- C. Revised Committee Protocols
1. A revised Protocol for Supreme Court Committees was published in December 2013 and provided to the members.
  2. The Chair suggested cooperation between this committee and the Florida Courts Technology Commission (FCTC) is important. Formal and informal liaison options for the future were discussed.
  3. Staff informed that the FCTC agreed to send us meeting summaries soon after each FCTC meeting to help us keep abreast of their actions.

### **Item III. Judicial Workload Model (Case Weight) Review**

- A. Full Case Weight Study
1. Staff informed members about the possibility of conducting a full case weight review study as requested by the supreme court. Staff provided some background on previous studies, the methodology of the weighted workload model and discussed the potential impact on this study on the workload of judges and court staff.
  2. Staff informed the members of various anticipated components of the full study: a judicial time study involving all twenty circuits, in-person and webinar-type trainings for judges and judicial assistants, and a review of the statute changes since 2006 that impact judicial requirements.
- B. Results of the Event Proportion Recalculation
1. Staff presented an informational item on the effects of re-computing event proportions both on the case weights themselves and in terms of overall judicial FTEs.
- C. Adjustment Modifier for the County Criminal and Misdemeanor Traffic Division
1. Staff presented the proposed County Criminal and Misdemeanor Traffic modifier and discussed the feedback received on this modifier by Chief Judges, TCAs and the supreme court. Members discussed various factors that could affect adjudicatory processes in different types of counties. Ideas about studying the processes and efficiencies in different court rooms to develop “Best Practices” were brainstormed. Staff noted that this fits into the Trial Court Performance & Accountability’s High Performing Courts Initiative.

### **Item IV. Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)**

- A. Project Review
1. Staff reminded members of the recommendations adopted by the committee on Feb. 1, 2013 to address this rule requirement.
- B. Progress on CSWC Recommendations

1. Staff updated members on their progress concerning the four point plan advanced by the CSWC in February 2013 for implementing case age reporting.
- C. Example of Case Age Data Collection
1. Staff made a presentation of the Foreclosure Performance Indicators Dashboard to showcase the information captured and calculated from this real-world implementation of the same data collection standards needed to compute case age statistics to satisfy Rule 2.225. The visual representation of this single division of court via the dashboard was used to demonstrate how the larger data collection for Rule 2.225 could be implemented for other divisions of court.

#### **Item V. Status Reports (for information only)**

1. Staff updated members on the status of a variety of projects of interest to the CSWC including:
  - A. Judicial Data Management Services (JDMS)
  - B. FY 2013-14 Foreclosure Initiative
  - C. Uniform Data Reporting – Court Interpreters Data Collection
  - D. Statutory and Rule Changes to Stalking Violence Reporting
  - E. Case Event Framework

#### **Item VI. End of FY 2012-14 Term**

- A. End of Term Report
  1. Staff will draft the CSWC's contribution to the End of Term Report for the Trial Court Performance and Accountability Commission (TCP&A) and circulate it for member approval.
- B. Supreme Court Reauthorization
  1. Staff will be working on the TCP&A reauthorization, which includes CSWC direction.
  2. Members were asked to submit ideas for projects or issues to be taken up in the next term.
- C. Next Term CSWC Membership
  1. The membership for the FY 2014-16 term must be designated by June 30, 2014.
  2. Current members were asked to notify staff if unable to continue serving on the committee, and/or to provide suggestions for new members.

#### **Item VII. Next Meeting**

1. Staff announced that the final meeting of the FY 2012-14 term would be a phone conference, planned for May 2014.

2. Members suggested the meeting be moved to April in order to precede the TCP&A meeting scheduled for the beginning of May, and staff agreed to poll members for their meeting date preference via email.

**1:30 pm Meeting Adjourned**

**Decision Needed:**

1. Adopt the meeting minutes from 01/31/2014.

## **Item III. End of Term Summary**

### **III.A. Recap of CSWC accomplishments**

#### **III.A.1. Trial Court Integrated Management Solutions (TIMS) Project**

In August 2010, In re: Commission on Trial Court Performance and Accountability, No. AOSC10-48, then Chief Justice Charles T. Canady directed the Commission on Trial Court Performance and Accountability (TCP&A) and by extension the Court Statistics and Workload Committee (CSWC) to identify essential information necessary to move cases through the adjudicatory process including key case and work load measures essential for performance monitoring. Additionally, the CSWC was charged with establishing uniform data definitions and standards for this information. Due to the scope of the project, this charge was carried over to the TCP&A reauthorization AO for the FY 2012-2014 term (AOSC12-48)

The two and a half year project produced three key results and engendered several significant insights into the nature of case activity reporting and of court data management in general. These key results were 1) A Trial Court Data Model that captures case and court activity that includes standard definitions and relationships, 2) a set of meaningful performance measure that can be calculated from the data model and 3) a set of case flow diagrams identifying the critical action points within each case type. (See the [TIMS report](#) for a full discussion.)

Some of the key insights of this project included a clearer understanding of the state of court data management systems available, a list of fifteen capabilities that were necessary in any circuit level court management system to ensure that that system could operate as part of a statewide whole, a minimal technical framework capable of expressing these capabilities and capturing the data required within the court data model, and a recognition that a complete TIMS system could be built modularly as a series of smaller, targeted data management projects that could be integrated to work together for full functionality. (See Appendices L-O of [TIMS report](#).)

The first of a series of these smaller scale projects, the Integrated Trial Court Adjudicatory System (ITCAS) included a set of Case Adjudication Processing Systems (CAPS judicial viewers) at the circuit level to assist judges and case managers with case adjudication and a state level data management system, Judicial Data Management Services (JDMS), to assist court managers with operations (Appendix N of [TIMS report](#)).

#### **Status:**

The Final TIMS Report was accepted by the Supreme Court on March 25, 2013 and the Trial Court Data Model is being integrated into existing and future court data collection systems. As part of the FY 2013-2014 Foreclosure Initiative, CAPS systems are being deployed within the civil divisions in all circuits. The OSCA undertook, also as part of the Foreclosure Initiative, several proof of concept projects to verify the feasibility of the proposed JDMS system and to identify the resources necessary.

The OSCA requested legislative funding both for additional CAPS systems for criminal divisions and for OSCA staff positions associated with the development of JDMS. The OSCA has received word that the legislature will not be funding its request for salary dollars for the JDMS positions this legislative session. (See Item IV for additional information.)

### **III.A.2.      Judicial Case Weight Model Review**

Charge 2 of AOSC12-25, In re: Commission on Trial Court Performance and Accountability, directs TCP&A through the CSWC to address policy issues necessary to maintain the integrity of the Weighted Caseload Model, which is the cornerstone of the courts constitutionally required Annual Certification of Additional Judgeships. Because it is a statistical model, the Weighted Workload Model should be reviewed and updated regularly to ensure the continued applicability to actual case practice in the field. The CSWC, however, recognized the significant resources required for a full review. Based upon experience in working with the workload model since 2000 and in the interest of making efficient use of staff resources, the CSWC, at its February 1, 2013 meeting asked OSCA staff to:

1. recalculate event proportions for all case types and weights
2. develop an adjustment modifier for the County Criminal and Misdemeanor Traffic divisions

This work was completed by November 2013 and the resultant impact on case weight values and judicial need was provided to the CSWC at its [January 31, 2014 meeting](#). As part of the vetting process and at the request of the supreme court, the County Criminal and Misdemeanor Traffic adjustment modifier was provided to the chief judges and trial court administrators in August 2013 for review and comment. The impact of the modifier on net judicial need, along with the comments made by circuits, was provided to the supreme court in October 2013 as part of their deliberations for the Annual Certification of Judgeships opinion.

#### *Status:*

The supreme court chose not to adopt the recalculated event proportions and modifiers for county criminal and misdemeanor traffic. Instead, the court directed the OSCA to update all of the judicial case weights. Court Services staff is presently evaluating its options in this regard.

### **III.A.3      Case Event Definitional Framework**

The case event definitions and status categories establish a much needed definitional framework for case event tracking in the trial courts. This framework grew out of the convergence of several related case tracking issues including the proper reporting of reopen and reclosed cases, accurate reporting for juvenile dependency cases and the need for improved pending caseload reporting. This framework is essential to:

- implement the case-event elements of the Trial Court Data Model;

- provide accurate case inventory and case aging reporting;
- support improved tracking and measurement of post-judgment judicial workload; and
- establish a more rigorous foundation from which to address other case activity reporting issues.

Much of this framework represents conceptual refinements to case events, such as what it means for a case to be initiated or in open status, and will not require changes to existing reporting. The CSWC recommended that this framework be implemented in a controlled manner focusing on new data collection projects and retrofitting to existing data collection systems as needed. By design, this framework is backwards compatible with existing uses of these terms throughout the state, which obviates the need for immediate, disruptive change.

*Status:*

The case-event definitions adopted by the CSWC at its February 1, 2013 meeting were approved by the Commission on Trial Court Performance and Accountability (TCP&A) and were forwarded to the supreme court for statewide adoption. The supreme court approved the case event definitions for use in trial court case activity reporting on March 26, 2014 via administrative order (see AOSC14-20).

<http://www.floridasupremecourt.org/clerk/adminorders/2014/AOSC14-20.pdf>

**III.A.4 Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)**

In Supreme Court Order SC11-1347 In re: Implementation Of Judicial Branch Governance Study Group Recommendations — Amendments To The Florida Rules Of Judicial Administration, the supreme court revised Fla. R. Jud. Admin. 2.225(a)(2) to charge the Judicial Management Council with:

“identifying and evaluating information that would assist in improving the performance and effectiveness of the judicial branch (for example, information including, but not limited to, internal operations for cash flow and budget performance, and statistical information by court and type of cases for (i) number of cases filed, (ii) aged inventory of cases — the number and age of cases pending, (iii) time to disposition — the percentage of cases disposed or otherwise resolved within established time frames, and (iv) clearance rates — the number of outgoing cases as a percentage of the number of incoming cases).”

At its [February 1, 2013 meeting](#), the CSWC discussed several options for satisfying this reporting requirement. As this reporting would involve significant workload for both clerks of court and the courts and involved reporting of certain elements not captured by existing case management systems, the CSWC adopted a four point plan for assessing the realities of this reporting requirement including increased clerk engagement and an in-depth study of the needs and benefits of reporting. The CSWC additionally recommended that existing data management projects be leveraged to minimize the impact of this study.

Status:

In January 2014, OSCA staff completed their study of case age reporting requirements. These results were presented to the committee at their [January 31, 2014 meeting](#). As recommended, much of the study was accomplished as part of the FY 2013-2014 Foreclosure Initiative including detailed discussions with clerks of court and a comprehensive review of reporting requirements. Please see Item V of your materials for further discussion of this phase of the project.

**III.A.5      Parental Notice of Abortion Form**

Reporting requirements were expanded in the Parental Notice of Abortion Act pursuant to Ch. 2011-227, Laws of Florida and Supreme Court opinion SC11-1567 In re: Amendments to the Florida Rules of Juvenile Procedure. A proposed reporting form including the specific reasons for granting waivers of Parental Notice of Abortion and the reasons why a judge could not rule on the original petition within the specified time frame, was presented to the committee.

Status:

The proposed reporting form was recommended for use by the committee at its October 19, 2012 meeting, and the revised data collection began in January 2013.

**Decision Needed:**

1. None. For information only

### **III.B. Draft of CSWC End of Term Summary**

As directed in charge 1 of AOSC12-25 In re: Commission on Trial Court Performance and Accountability, the Court Statistics and Workload Committee participated in the Trial Court Integrated Management Solutions (TIMS) project and specifically established uniform data definitions, guidelines and standards for data collection and reporting including the identification of a Trial Court Data Model for the capture of trial court case activity data.

Consistent with charge 2 of AOSC12-25, the Court Statistics and Workload Committee has recommended several enhancements to trial court case activity data collection efforts in this term. These recommendations include: 1) a Case-Event Definitional Framework that establishes meaningful definitions for essential case events such as case filing, disposition, reopen and reclosure. This framework is necessary to implement case reporting under the Trial Court Data Model and resolves many existing reporting issues within the Summary Reporting System. This definitional framework was adopted by the supreme court in AOSC14-20 In re: Case-Event Definitional Framework. 2) a methodology for the calculation of case age statistics and the collection of related case detail data as required by Fla. R. Jud. Admin. 2.225(a)(2) and 2.250(b). 3) a methodological review of the Weighted Workload Model to include revised event proportions for all case types and an adjustment modifier for County Criminal and Misdemeanor Traffic. and 4) enhancements to Parental Notice of Abortion reporting as an element of the Summary Reporting System under section 25.075, F. S. and Fla. R. Jud. Admin. 2.245(a).

#### **Decision Needed:**

1. Submit the CSWC end of term summary to TCP&A for inclusion in the commission's end of term report.

## **Item IV. Outstanding Issues**

### **IV.A. Uniform Data Reporting - Court Interpreter Hourly Reporting**

Supreme Court Administrative Order AOSC11-45 IN RE: COURT INTERPRETING SERVICES IN FLORIDA'S TRIAL COURTS adopts a set of recommendations on standards of operation and best practices. The order directs TCP&A and CSWC to modify court interpreting statistics collected in the Uniform Data Reporting (UDR) system to capture the number of court interpreting hours (in quarter hour segments), by proceeding type and language, in addition to the number of events. These statistics should also be modified in order to be consistent with amendments to s. 29.004, Florida Statutes.

On May 31, 2013 staff initiated a survey of all OSCA units and Trial Court Administrators to help identify possible changes that may be necessary to the UDR system for court interpreting reporting. Staff has reviewed these responses and applicable statutes and identified the changes to the Court Interpreters data collection mechanism that are necessary under this direction.

A data collection form has been created and is being evaluated to determine the programming and database resources necessary for implementation. Associated instructions are also under development.

#### **Decision Needed:**

1. None. For information only

## **Item V. Possible Issues for FY 2014-2016 Term**

### **V.A. Judicial Weighted Workload Model Review**

This case weight review will likely be a significant issue for the FY 2014-2016 term. The OSCA is currently evaluating options for accomplishing this project in light of available manpower, funding and existing projects.

### **V.B. Judicial Data Management Services**

The Judicial Data Management Services (JDMS) project was advanced as a component of the Integrated Trial Court Adjudication System (ITCAS) project and implements a state-level trial court data repository focusing on data management and analysis services for court managers. JDMS presents an opportunity for the court system, as an organization, to initiate a data management strategy specifically designed to support: 1) an enhanced adjudication process; 2) a more efficient use of court resources; and 3) a more effective justification of court activity through the use, collection and management of essential data across entities.

The JDMS umbrella was seen as the primary vehicle for advancing several CSWC related projects, including the performance measures of Rule 2.225, enhancements to pending caseload reporting and improved SRS reporting in general. Unfortunately, the OSCA's FY 2014-15 Legislative Budget Request (LBR) for the staffing necessary to implement the JDMS data management system did not make it into the Senate or House legislative budgets for this year. The JDMS project was not specifically singled out this year in that the LBRs for both the criminal division CAPS systems, JDMS's sister project within ITCAS, and the refresh of digital court reporting equipment were also not funded.

In the coming months, the OSCA will need to evaluate its options for these important projects in light of the available manpower, money and other resources and to consider possibilities for future funding.

### **V.C. Performance Measures Required by Fla. R. Jud. Admin. 2.225(a)(2)**

The CSWC has completed phase I of this data collection requirement. Phase II, the implementation of a data collection methodology, was being proposed as one of the first projects under the JDMS development plan. However, the commencement of phase II will need to be re-evaluated in light of the funding issues noted above and the impending Judicial Weighted Workload Model review.

## **V.D. Incorporation of Case-Event Definitional Framework into case activity data management systems**

On March 26, 2014 the supreme court issued AOSC14-20 In re: Trial Court Case-Event Definitional Framework, which established a specific definitions for critical events within a case essential for correct reporting of case activity in the trial courts. This framework includes unambiguous definitions for filing, disposition, reopen and reclosure events and provides for the reporting of case status actions within these events. Together, these definitions provide a framework for reporting case activity necessary to support uniform case reporting as per section 25.075, F.S., Rules 2.245, 2.250 and 2.225(a)(2) of the Florida Rules of Judicial Administration and data collection under the Trial Court Data Model.

The State Courts Administrator was specifically directed with taking “...*the appropriate action to implement this Framework as an intrinsic element of new trial court case activity data management projects, ..., and to retrofit, as necessary and practical, existing trial court data collection systems ... in a reasonable time frame commensurate with available resources and the expected benefits of such actions.*” As an ongoing action, the OSCA will be evaluating existing case activity data collection systems and developing plans for controlled implementation. As per this committee’s recommendation, the OSCA will try, insofar as possible, to incorporate the framework concurrent with other projects involving those data collection systems.

### **Decision Needed:**

1. None. For information only