

**Commission on Trial Court Performance and Accountability**  
**Wyndham Tampa Westshore**  
**November 18, 2011**

**Minutes**

**Members in attendance:**

Judge Terry Terrell, Judge Paul Alessandroni, Judge Brian Davis, Judge Ellen Sly Masters, Judge Elizabeth Metzger, and Holly Elomina.

**Members absent:**

Judge Dawn Caloca-Johnson, Judge Leandra Johnson, Judge Kathleen Kroll, Judge Peter Marshall, Judge Diana Moreland, Mike Bridenback, Gay Inskeep, Justice Jorge Labarga (Liaison), and Judge Lisa Davidson (Liaison).

**Staff in attendance:**

Maggie Geraci, Patty Harris, and PJ Stockdale.

**Others in attendance:**

Judge Scott Stephens

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Judge Terrell called the meeting to order at 9:05 a.m. The roll was taken and it was noted that a quorum was not present.

**I. Welcome and Introduction of Members**

Judge Terrell introduced new member Holly Elomina, Trial Court Administrator of the 16<sup>th</sup> Judicial Circuit.

**II. Approval of the September 22, 2011 Meeting Minutes**

Tabled.

**III. Status Updates:**

**a. Trial Court Integrated Management Solution (TIMS) Project**

Patty Harris discussed the TIMS Project. She mentioned that the Civil Workgroup has started, with Judge Metzger as chair. Phase Two has also started, which involves determining the technical and functional standards. The Florida Courts Technology Commission (FCTC) has created a committee for TIMS, chaired by Judge Scott Stephens. The committee held a meeting in Tampa two weeks ago, viewing demonstrations from three Florida judge access system vendors. After the demonstrations, the committee determined they would move forward in developing both technical and functional standards and vendor approval process for judge access systems. It was noted that judicial access systems may eventually layer on top of a future TIMS system. However, several factors have yet to be determined, including the breadth of scope these standards will have. The committee has scheduled their next meeting in late November to discuss the process they want to take.

Ms. Harris referred to the TIMS Talking Points on page 8, noting that as she had mentioned at the previous TCP&A meeting, and as part of an overall communication strategy, staff agreed to

develop broad talking points to allow for consistent answers to the basic questions members may receive. Ms. Harris reviewed the individual talking points noting that TIMS will be a 'backbone system' and a warehouse of data. The scope of TIMS includes case processing, case management, performance measures and resource management. The goal is to identify as much information as possible with divisional workgroups and as part of outreach, meanwhile recognizing that it may take several years to incorporate all identified information needs into a TIMS system. For example, tagging and storing of case information contained on documents has been recognized as a necessary component as part of TIMS. However, implementing tagging specifications will require significant operational changes as well as changes to court rules. Therefore, this feature may be recommended to be implemented in stages possibly five or so years from now. She reminded the members that phases one through three involve creating a plan. Actual implementation, which would occur in a stage four, may realistically take 3, 5, or 10 years, and will occur after the supreme court approves the plan and seeks the necessary funding.

Ms. Harris reviewed the four committees working on TIMS. The TCP&A is responsible for coordination of the project and identifying the information needs. A process has been developed where caseflows are mapped out and from there, information is gleaned for the data model. She noted that the process with the Probate Workgroup was successful and resulted in adding fundamental components to the data model. Other workgroups will build on that foundation. She stated that there is momentum building, but there are limitations on staff and competing priorities. In March 2012, the plan is to reassess where the project is and decide then whether to seek an extension. Judge Allesandrone asked where we are on the timeline. Ms. Harris and Judge Stephens both advised that we are slightly behind schedule.

PJ Stockdale discussed the data model as a framework for data collection throughout the state. He noted the idea was to develop a common framework that everybody will ultimately comply with. Circuits and clerks will not have to get rid of what they have, but they will have to move toward meeting certain state level requirements. Phase One is primarily focused on mapping court activity, rather than on case content, the reason being the sheer scope of identifying case content. He noted that the E-filing workgroups developed over 6,000 elements between probate and dependency alone. Therefore, at this point, the focus needs to be on the infrastructure, not the bits of information. Once the infrastructure is designed, then you can begin to deal with content. At this point, the workgroups are determining what kinds of events, who the actors are, the resolution of cases, when documents come in and when they leave. The CSWC developed broad categories such as cases, events, actors, tasks, resources, and financial information. He noted that pages 78 through 86 of the materials provide the definitions for these broad categories. After the Probate Workgroup convened, an additional 13 areas were identified. Page 90 shows the broad areas. The goal is to have an accurate picture of how to track all kinds of court activity. There are sub areas for each broad category, which will be expanded on. Mr. Stockdale stated that with each subject area workgroup, we are able to gain more understanding of how the court does its work. He noted that he anticipates finishing with about 100 categories each with roughly six or seven data elements. This is achievable and will provide a substantial working framework.

Ms. Stockdale offered that the CSWC needs to finish meeting their charge by June 2012 that will include a list of assumptions for TIMS. In and of itself, TIMS is not an active system, but an infrastructure. As noted previously, this is a long-term project, that overall may take 10 to 15 years to complete. It is suggested that a plan for implementation be established, with what will be completed at the 3 year, 5 year, and 10 year marks. For instance, setting basic tagging specifications could be a goal for 3 year mark. It is important to lay out some very specific

targets and projects. Finally, an actual list of steps needed to reach the goals, at least for the first 3 years, is vital to the success of the project.

Judge Stephens noted that the last time he came before the Commission, he expressed the opinion that TCP&A has the hard part of this process and he still believes that to be true. Phase Two is to develop the technical and data functionalities for the technology. He stated that technology is the least of the problem. The biggest problem is reaching a consensus on what we want to do. He noted that the primary goal should be that the computer system has to follow the workflow for the primary business, not the other way around. In this competitive market, it is possible to obtain what we need. However, the problem is that everyone has a different idea on what they want, which is why the primary issue facing this project is consensus building. He noted that best practices will be vital and that performance measurement and management go hand in hand. Making people accountable is important, but it is also necessary to provide the tools to get the job done. Collection of management data can increase costs, so it is best to minimize the data entry for the sake of data entry. An intelligently designed program should be fundamental. Judge Stephens noted that Probate Workgroup provided a good foundation because although it seems daunting by the amount of information that came out, many subsystems within a case were identified. The mapping of those subsystems will be used in other divisions. For instance, the mapping of the order appointing general magistrates can be used for the family division. The mapping of the psychological evaluations process can be used for the criminal division. He noted that this process is generally providing enterprise architecture.

Judge Stephens explained that the approach right now is to write a report on what the ideal system will look like and then, outline the obstacles to that ideal system. He pointed out that it is true that at this point we are not trying to build a big system out of Tallahassee, but noted that in the future, we may realize that it may be more economical to build a big system. He stated that throughout this project, we have to deal with the realities of the marketplace. If we cannot get a vendor to provide what we need, we may need to reevaluate.

Ms. Harris noted the digital court reporting multiple vendor approach and how the circuits were free to choose from a list of approved vendors, but then several circuits chose CourtSmart. Unfortunately, that vendor experienced various challenges in meeting the volume needs of the court. She asked Judge Stephens if there is any way to avoid these problems for the TIMS project. Judge Terrell stated the practical distinction with CourtSmart issue is that it was done quickly. If we set up the ideal model and then work with the practical reality, we can deal with each problem as it arises. Judge Stephens added further the difference with court reporting issue is that now we have time and we have the knowledge of what happened there. He stated that certification of vendors will help. Judge Alessandrone noted small counties will never be able to afford the robust systems out there, so one large state system would be helpful. He expressed concerns regarding continuous statutory changes and courts being a slave to the technology. He noted that it seems vendors appear stressed now because they cannot keep up with the requirements. Judge Masters noted that there are certain things we must have and continue to need more and more. She noted that we should be taking steps towards minimum standards. The vendors can be made aware of what the needs are and that we are not going to modify what those needs are. We need the vendors to compete the way we have seen the American marketplace work. If it turns out that there are a group of companies that provide our needs, then our needs can be met by multiple companies. If it is just one company that can do it right, then so be it. It may be too early to know at this point. Also, at this point, we should continue to say we have needed this for so long and what we have now is not working. We have not been provided the data that answers the questions we have. This is the writing on the wall. She suggested the

Commission do more to educate. She noted that it is not our purpose to identify circuits that do not have the necessary capability but it is our purpose to identify what information is needed.

Mr. Stockdale noted that in 2009, CSWC created a document on electronic access that provided a framework for case management. The document expresses what is needed and noted that there are three levels of jurisdictions in the state: the low level or the “have nots,” which have very little or limited technology; the middle level which have some technology; and the highest level, those counties that have the ability to do the exceptional. He noted that TIMS is a framework that stems from this concept. The have nots will be provided a basic level of service. Judge Terrell noted that this discussion illustrates the inherent tension since Revision 7.

Ms. Harris asked if the data model will need to be broken down, by division, for the implementation process. Judge Metzger stated that there are general categories in civil without timeframes, so the information from the Probate Workgroup was a bit overwhelming because it was contrary to how civil worked. Judge Terrell noted the different subsets of case types. For example, criminal is driven by a known schedule. Civil is lawyer driven, unless differentiated case management is fully implemented which will begin the evolution from lawyer driven to schedule driven. Judge Stephens noted that when you can group like things, things can move fast. Probate is not like civil and that is understood. For civil, issues are classified by complexity, not by subject matter, whereas probate is classified by subject matter. Mr. Stockdale responded that there is just one model and the goal is to make that model universal. Judge Stephens agreed that this is how it should work and noted that this model provides the necessary data structure.

Judge Terrell noted that it looks like wonderful progress is being made that is right on target with the goals.

**b. Reopened Events issue**

Mr. Stockdale reviewed the talking points document that he handed out to the group, noting the definitions on reopened events that were approved by the CSWC.

Judge Masters added with regard to the fee collection issue that there are some circuits who would be concerned that after a final judgment, there may be several reopening events, with the associated fee. These circuits perceive conceptually that each reopen event is tied to the \$50 filing fee. The CSWC is emphasizing that these definitions are not tied with fee collection, only with workload analysis and data information on status of case. Mr. Stockdale noted certain statutory changes indicate that a reopen fee can only be collected once and that this may be more of a clerk issue. Mr. Stockdale noted that the clerks have submitted proposed bill language to the legislature using almost word-for-word the same definition as that approved by the CSWC.

Judge Alessandrini asked for the purposes of case management, if there is a clear definition of inactive that is universally adopted. Mr. Stockdale and Judge Masters indicated the definition is similar to SRS definition, but it is strengthened, as to allow for more accurate information on how long these cases are taking.

#### **IV. Implementation Strategy on Recommended Court Interpreting Standards and Best Practices**

Maggie Geraci provided background on the fiscal impact analysis requested by the supreme court on the court interpreting standards and best practices as approved by the Commission in November of last year, and as outlined in the report *Recommendations for the Provision of Court Interpreting Services in Florida's Trial Courts*. One of the major recommendations of the report that drew the most concern was the expansion of the provision of spoken language court interpreter services to ALL court proceedings and court-managed activities. While the Court Interpreting Workgroup had suggested expanding to all court proceedings, another variable added to the mix was the issuance of a guidance letter by DOJ on August 16, 2010. The guidance letter stated that under Title VI of the Civil Rights Act, court interpreting services should be provided in all court proceedings and court-annexed activities, at no cost to the limited English court participants. Based on this letter, the Court Interpreting Workgroup expanded the provision to include court-managed activities.

The final report as approved by the TCP&A was submitted to the court for their consideration. At the June 29 court conference, the court requested that the recommendations be submitted to the TCBC for a financial estimate of the proposal and to determine whether any of the recommendations could be done within existing resources, including implementation in stages. The TCBC is due to report back to the court by December 1.

OSCA staff developed a strategy to address the court's request, which included three steps. First, the Commission determined which recommendations have a possible fiscal impact and which do not. That information was forwarded to staff of the FMC. FMC staff developed a fiscal impact survey for the circuits. The main objectives of the survey were to determine the extent in which the court interpreting program would need to be expanded to comply with the proposed standards and best practices that have a potential fiscal impact and to identify the additional resources that would be needed in order to fully implement the new requirements proposed in the recommendations. The response from the circuits indicated an additional need of 96.5 FTE, \$3,086,233 in contractual funds, and \$6,628,795 in expense funds, for a total of \$15,018,957 to fully implement the recommendations. It is important to note that these are estimates by the circuits. Particularly for the expansion of services recommendation, we currently do not collect data showing how often the need for an interpreter occurs in those case types currently not provided for.

The FMC developed a methodology that calculated the estimated total funding need of the circuits based on FY 2011/12 allocations and additional resources needed as indicated in the survey responses. The estimated total need of the circuits shows an average percent increase of 250.1% among circuits or an average need of 2.5 times the current allocation. Based on this methodology, the estimated total amount of additional resources needed is \$22,654,064. The TCBC approved this methodology and estimate at their October 19, 2011 meeting. Ms. Geraci noted on page 152 in the materials, the chart represents the estimated cost of the proposed standards, broken out by individual standards. The first set of columns represents the additional resources needed as reported by the circuits. The second set of columns represents the cost using the TCBC methodology. The following page of the materials is the same type of chart for the best practices.

The third step in this project is the determination of a strategy for implementation of the recommendations based on the cost estimates provided by the TCBC. To help in developing a

strategy, staff created a chart based on tiers. On page 154 in the materials, the first tier includes the general recommendations to other committees and the standards that the Commission and the survey responses indicated had no additional fiscal impact, followed by the best practices that have no additional fiscal impact. It is suggested that any implementation strategy require that these Tier 1 recommendations be implemented upon Supreme Court approval. Tier 2 on page 160 shows those standards that expand the provision of court interpreting services to all case types and court-managed activities. Tier 3 includes those recommendations that revolve around remote technology. Tiers 2 and 3 represent the recommendations that have the biggest fiscal impact. Tier 4 shows those remaining standards and best practices that have a fiscal impact.

Ms. Geraci mentioned some outliers in the survey responses. Due to the short timeline on this project, she discussed there may be some misinterpretations of policy intent as far as estimated costs. Judge Masters noted that in the response to the court, the outliers may need to be explained.

Ms. Geraci reviewed the options presented in the write-up. Option 1 is to recommend the implementation of all standards and best practices as soon as possible. Option 2 would place priority on implementing Standards I.A.1 and I.A.2 which provide for the expansion of the provision of court interpreting services to all court proceedings and court-managed activities, which would put the state courts system in compliance with DOJ guidelines. Option 3 was developed when staff looked at the circuit responses to the survey and the TCBC estimate of the cost and noted that there is the possibility that the implementation of remote technology could reduce the costs associated with the expansion of the provision of court interpreting. This option suggests that feasibility study be done on remote interpreting and how it could possibly reduce the overall costs. With this option, only Tier 1 recommendations would be implemented, and after the feasibility study and the recalculation of the estimated costs based on the study, implementation of the remaining standards and best practices would then be reevaluated. Option 4 basically represents implementation based on lowest costs first. The recommendations would be prioritized in order of least expensive to most expensive, starting with non-recurring expenses.

Judge Alessandroni asked if there were any updates on issues with the DOJ guidelines and if any states have challenged DOJ. Ms. Geraci stated that the Colorado court system was recently investigated by DOJ. The investigation resulted in Memorandum of Agreement with DOJ, expanding the provision of court interpreting to all case types. She noted that Colorado is one of the largest states to be investigated by DOJ. Other states include Maine, Illinois, and Delaware. Ms. Geraci also explained that the American Bar Association (ABA) had drafted standards that included expansion of case types in the provision of interpreting services, which were to be voted on at the last ABA meeting. The Conference of Chief Judges (CCJ) and the Conference of State Court Administrators (COSCA) sent a letter to the ABA, asking for the vote to be tabled and for both groups to be included in the discussion on these standards before a vote is taken. The vote was tabled and the latest information indicates that the groups were meeting this week to discuss this issue.

Judge Masters inquired as to the known sanctions for not meeting the DOJ guidelines. Ms. Harris indicated that a possible sanction is loss of federal funding for the court system. Judge Masters stated that it seems that the provision of court interpreting services to all case types and court-managed activities is the law and it is fair. The state courts system needs to be in compliance, so she suggests that Option 2 be given priority. Judge Alessandroni agreed that since it seemed that the DOJ guidelines are not being challenged and large states like Colorado are agreeing to expand services, there is no choice but to expand the provision of services. Members

also discussed the idea of the feasibility study of Option 3. Judge Davis and Judge Masters both agreed the viability of studying further the use of regional interpreters would be beneficial. Judge Terrell asked if the consensus of the group was to recommend that Option 2 be given priority and Option 3 be considered by the court. The group agreed.

## **V. Recommendations on Resolving Civil Disputes**

Maggie Geraci provided a brief history on this project. During the last legislative session, a bill was introduced that would create the Judicial Caseload Incentive Plan. The plan's purpose was to resolve civil disputes in a timely manner and reduce legal costs. The plan would essentially offer bonuses to individual judges who met established performance goals. The progress in meeting the performance goals would be reported by OSCA to the legislature quarterly. In response, an alternative plan was offered, the Judicial Incentive Performance Plan. This plan would establish a civil case flow management initiative, a differentiated case management plan, essentially provided case management resources to the circuit courts instead of individual performance bonuses. Performance measures, such as time to disposition, age of pending caseload, and calendar clearance rates would be reported to the legislature on a regular basis.

Neither proposal passed during session, but proviso language in the General Appropriations Act directed OSCA to make recommendations to the Senate Budget Committee and the House Appropriations Committee Chairs on resolving civil disputes in a timely manner and reducing legal costs through the use of financial and other incentives. TCP&A have drafted some recommendations, working in conjunction with the Court Statistics and Workload Committee, the Funding Methodology Committee and the TCBC.

The recommendations, as proposed by the TCP&A, are based on the Judicial Incentive Performance Plan and outreach to the circuits. It was determined that monetary awards to judges or court staff were an inappropriate means to improve timeliness. The recommendations include establishing differentiated case management in circuit civil, through the use of additional resources, including case managers and database analyst in each circuit. DCM would provide a structured system for management of cases through multiple case processing tracks, each of which corresponds to the complexity of a case. Performance measures and benchmarks would be established to demonstrate the effectiveness of differentiated case management and as a means to address issues within the system. In addition, a grant or reserve fund would be created to provide additional resources to circuits for the creation and implementation of ideas that would directly promote the timely resolution of civil disputes.

The draft recommendations were referred to TCBC via the FMC to determine the fiscal needs of the proposal and to the CSWC to develop a data plan for the reporting of the performance measures. In October, the TCBC approved the case manager methodology of 1 case manager per 2 civil judges, costing out the case manager at a court program specialist II salary classification. Additionally, the TCBC approved a "reserve fund" of \$100,000. This is the "grant" monies for innovation that was recommended by the TCP&A. The TCBC determined that using the term "reserve" fund would allow for more flexibility in providing funds to the circuits. A criteria was approved for access to this reserve fund based on similar criteria for the economic recovery program, but special consideration was given to allow for equality in the selection process. The funds would be accessible by both circuits that were doing well and circuits that needed further help to improve their processes.

She also noted that the TCBC approved \$200,000 for training purposes. Page 205 of the materials includes the full funding estimate chart. The TCBC estimates that these recommendations require \$6,347,674.

Mr. Stockdale discussed the data plan approved by the CSWC.

As suggested by TCP&A, a workgroup was convened consisting of judges and staff with expertise in civil matters to determine the appropriate performance measures and benchmarks for civil cases in a differentiated case management system. This group included Judge Metzger, Judge Bailey of the 11<sup>th</sup>, Judge Hulslander of the 8<sup>th</sup>, Judge Langford of the 10<sup>th</sup>, Rick Callanan, the TCA of the 20<sup>th</sup> and one of the drafters of the original Judicial Performance Incentive Plan, and Tom Genung, TCA of the 19<sup>th</sup>. The group met via conference call on October 18<sup>th</sup>.

Staff provided the workgroup with the draft TCP&A recommendations, the original judicial incentive plan, information on Courttools performance measures, COSCA case processing standards, ABA case processing standards, and Florida Rule of Judicial Administration 2.250.

Ms. Geraci noted several concerns noted by the workgroup. Specifically:

- There are factors outside the control of judges that affect delay included related disposition cases, defense actions, plaintiff actions, and court resource issues;
- These factors or deviations from the norm need to be captured and reported in some way;
- A shift in culture by both judges and attorneys is needed in order to allow for the accurate assessment of performance;
- Technology needs to be optimized in order to capture the data. Case management notations of deviations needs to be quick and simple.
- The clerk data is for historical record keeping and does not accurately reflect judicial performance. Clerk data is not designed for case management needs.
- And finally, the time standards in rule are the ideal. Because of current conditions (lack of judicial resources, overburdened caseloads, etc.) meeting the time standards would be difficult.

The workgroup reached a consensus as to what performance measures should be recommended – Time to Disposition, Age of Pending Caseload, and Calendar Clearance. However, the workgroup discussed establishing a multiplier to adjust for judicial workload, and a process for providing exceptions notice to the legislature of the external factors outside of the court’s control. The workgroup noted that deviations needed to be accounted for in the calculations of the performance measures. For instance, they discussed benchmarks for clearance rate should not be set too high considering the multiple external issues facing the court and that a methodology was needed in advance that would account for outside factors. Therefore it was suggested that the performance measures should include Calendar Clearance with a goal of 10% improvement over a 3 year baseline, and Number of Cases Over Time Standard with a goal of a 10% reduction in cases over the time standard. The workgroup discussed Time to Disposition should not be included as a performance measure, at least until years two or three of the program, as it was difficult to measure with the clerks’ data.

In consideration of the workgroup’s discussions, Ms. Geraci presented to the Commission the first set of options, pertaining to which performance measures would be used. The first option recommends using Time to Disposition, Age of Pending Cases, and Calendar Clearance. The second option recommends using Number of Cases Pending Over Time Standard and Calendar Clearance. Time to Disposition would not be reported until year two or three of implementation of the program. The Commission members recommended to approve Option 1.

Ms. Geraci presented the second set of options, pertaining to benchmarks. Option 1 is to adopt benchmarks/goals after the recommendations for resolving civil disputes have been implemented and the data collection process is fully developed to allow time for the collection of accurate data. Option 2 is to adopt the benchmarks that were stated in the Judicial Performance Incentive Plan. Option 3 would provide a benchmark for calendar clearance based on a historical 3 year civil clearance baseline, which currently is 87.8%. The goal would be 10% improvement over the baseline. For the number over time standard, the goal would be a 10% reduction in the number of pending cases over the time standard.

Judge Metzger offered her viewpoint of the workgroup, noting that the overall concerns were on the external issues the court cannot control and the issue with the data the clerks collect. The clerk systems are meant to collect a historical record. Thus, the systems are not designed to capture the data that is currently needed. Unfortunately, due to system design, data currently collected does not serve for the stated larger purposes of what the courts need. Judge Masters stated that Option 1 for the benchmarks is a reasonable option and would provide better data in the long run, noting that otherwise we would have to put so many footnotes and caveats to any data we do provide. She pondered that if the data is not meaningful then how helpful would it be for the judiciary or the legislature. She noted that the courts are not trying to resist what the legislature wants, but that the courts want to present accurate data. Judge Terrell asked if Option 1 was the recommendation of the members. The members agreed.

## **VI. Discussion of a Multi-Disciplinary Model Approach to Best Practices Development and Implementation.**

Ms. Harris stated Lisa Goodner has asked for the Commission to discuss how the work that is being done on the development of standards and best practices can approach a more multi-disciplinary viewpoint, incorporating feedback from the other commissions such as TCBC and FCTC. Ms. Harris noted that one of the ideas is to attach an implementation policy, similar to what the Commission is currently working on for the Court Interpreting Standards and Best Practices, prior to the submission to the supreme court. Judge Terrell noted that we have been fostering a collaborative model and there is a sense that this would work. Judge Terrell noted the original AO instituting TCP&A provides that the Commission should work collaboratively with other committees/commissions.

Judge Masters noted that before 2002 when she became a member of TCP&A, she remembers an entire meeting devoted to what the Commission does. Judge Blackwell, chair of the Commission at the time, spoke of the need for a pure policy analysis, and in an effort to provide a pure analysis, the TCP&A needed to serve as the branch's think tank. Judge Davis agreed that he remembered that discussion and said that makes this conversation difficult. He noted the long held value of TCP&A is to figuring out what is right and the role of the TCBC is to determine the funding. He stated that the TCBC needs to know what the ideal is. Judge Terrell noted that when he became chair of the Commission, he met with judicial leaders and stated that the TCP&A will set the high bar. He stated that the TCP&A will set the policy, but the reality is that staff will work together to get the full picture.

Mr. Stockdale asked if the court was looking for fiscal impact statements like what is usually done in the legislature. Ms. Geraci noted that staff prepares a transmittal report when sending recommendations to the court, which includes fiscal information. However, as was the case with the court interpreting recommendations, no fiscal impact was determined prior to submission to the court, so it was noted in the transmittal form that it was to be determined in the future.

Judge Alessandrone stated that if recommendations from TCP&A are presented to TCBC prior to submission to the court that would present more opportunity for communication among the various commissions and provide a more complete picture to the court. Judge Masters stated that she agreed. Judge Metzger noted that this process would allow TCP&A to prioritize implementation. The members agreed.

## **VII. Other Business**

Judge Terrell observed that FCTC recently approved deadlines for civil and criminal e-filing. Mr. Stockdale noted that this is an important indicator as to why, for TIMS, tagging should be implemented sooner rather than later. Efforts could be made to start pulling data off of these documents. Judge Davis asked if the Commission should pose the question to FCTC whether tagging is being required. Mr. Stockdale stated that he has discussed it with staff of the FCTC. Judge Terrell stated that it would be important to discuss this issue further with FCTC.

Ms. Harris noted that a new economic recovery/foreclosure initiative is currently being drafted for the submission to the legislature. This initiative may be a four year program.

There being no other business, Judge Terrell recessed the meeting at 2:46 p.m.