

**Commission on Trial Court Performance and Accountability**  
**Meeting**  
**Conference Call**  
**November 27, 2012**

**Minutes**

**Members in attendance:**

Judge Terry D. Terrell, Judge Paul Alessandrone, Judge Brian Davis, Holly Elomina, Judge Ronald W. Flury, Judge Leandra Johnson, Judge Kathleen Kroll, Judge Elizabeth Metzger, and Judge Diana Moreland.

**Members absent:**

Judge Victor L. Hulslander, Judge Ellen Sly Masters, Mike Bridenback, Gay Inskeep, and Justice Jorge Labarga (Liaison)

**Staff in attendance:**

Patty Harris, Maggie Geraci, Greg Youchock, P.J. Stockdale and Victor McKay

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Judge Terrell called the meeting to order at 12:00 p.m. The roll was taken and a quorum was present.

**I. Approval of the November 9, 2012 Minutes**

Judge Terrell opened the meeting and asked the members if they had reviewed the minutes and if there was a motion to approve. Judge Flury moved to approve the minutes. Judge Davis seconded the motion. The minutes were approved unanimously without modification.

**II. Review Final Comments Received from Circuits on Performance Measures**

Judge Terrell asked staff to review the comments received from the circuits on the performance measure matrix outreach. Ms. Geraci discussed the comment chart in the meeting materials, noting that while several comments were received, only a few circuits had responded. She further stated that it appeared some circuits had based several of their comments on their current systems as concerns were expressed regarding the abilities of the existing systems to obtain data for several of the measures. Ms. Geraci indicated the outreach cover email might not have fully explained the TIMS initiatives and that the identification of these measures are intended to support the development of a future system solution. Ms. Harris noted the current version of the performance measure matrix, includes one modification to add a footnote. The footnote indicates measures based on time standards must be understood in the context that some cases will exceed those standards due to exceptional circumstances.

**III. Finalize Recommendations for the December 1, 2012 Report on Trial Court Management Solution (TIMS) Project**

Ms. Harris reviewed two recommendation options provided in the meeting materials for the TIMS report. The first option includes same recommendations as previously offered during the November 9, 2012 commission meeting. The second option incorporates similar language as option one, but includes new language, shown as underlined, to

address the need for further vetting and validating of the performance measures. She also stated that additional language was added to the TIMS report, to describe how the Court Data Model contemplates data elements for the “required” and “essential” measures, but not “proposed” measures. The intention of adding this language is to clarify the “proposed” measures is offered only as reference for future review.

Judge Davis made a motion to approve Option 2, noting the added new language providing for further vetting of the performance measures is helpful. Judge Kroll seconded the motion. Judge Terrell remarked on the focus of the added language. He noted the new language indicates how this is an evolving issue, and that technology changes are critical to providing the ability to capture the data. Option 2 is a way to address these types of concerns and issues. Judge Kroll noted several missing comments from the outreach and inquired about whether or not they were received from all the circuits. Ms. Harris responded that all circuits had been contacted and it may be that some circuits didn’t have time to respond. She further recalled that at the beginning of the project, there was a budget crisis and no monies were available for face-to-face meetings, but that situation has improved. At the last commission meeting, it was discussed that there is a need to further vet these measures. Ms. Harris stated that once the phase one report is submitted to the court, a plan would be developed to proceed in vetting the measures, via in-person workshops. She indicated face-to-face meetings may be a more effective forum to provide education and receive more meaningful feedback from the circuits. Judge Kroll noted that she believes Option 2 indicates that this work is an evolving process, but is concerned that some circuits did not respond during outreach. Holly Elomina indicated her circuit is one of the circuits that did not respond. However, she and her chief judge did review the matrix and their comments mirrored those of Mike Bridenback, therefore, they felt a response unnecessary. The members noted that Tom Genung and Scott Wilsker also seemed in agreement with Mr. Bridenback’s comments, and wondered if other TCA’s had also agreed with his comments, as they were very well stated. Judge Alessandroni indicated he reviewed the matrix with Scott Wilsker, Trial Court Administrator, 20<sup>th</sup> Circuit. Mr. Wilsker had indicated agreement with the comments provided by Mike Bridenback. He further noted that there needs to be consensus and the use of workshops and in-person meetings to offer education and obtain feedback is important. Therefore, he is in favor of Option 2. Judge Johnson concurred with the comments made, noting that she also favors the idea of in-person workshops and wants to be certain that each circuit has the opportunity to be heard and provide feedback. She concurred with Option 2, as seconded by Judge Kroll. The motion for Option 2 carried without objection. Judge Terrell directed staff, based on previous practice, to send the report and the cover letter to the members via email for a final vote.

Judge Terrell thanked staff for the clear language that puts the report in context so those viewing the report can understand that this is a dynamic process. He also thanked the commission members in their care and attention in moving this work product forward.

#### **IV. Other Business**

There being no other business, a motion to adjourn the meeting was moved by Judge Metzger and seconded by Judge Johnson. Upon hearing no objections Judge Terrell adjourned the meeting at 12:29 p.m.