



**Workgroup on Performance Management  
Florida Mall – Room Forum East 4  
Orlando, FL  
August 28, 2015  
9:00 a.m. – 3:30 p.m. EDT**

---

**AGENDA**

**9:00 a.m. Meeting Convenes**

- I. Welcome and Opening Remarks, Judge Victor Hulslander, Chair
- II. June 19<sup>th</sup> Meeting Summary
- III. Status Update on the Uniform Case Reporting Project
- IV. Court Data Model Presentation
- V. Information on the Office of Program Policy Analysis and Government Accountability (OPPAGA) Study
- VI. “Free Thinking Zone” Envisioning an Optimal System from an Internal Operating Perspective

**Break for Lunch**

- VII. Development of Preliminary Recommendations
  1. Scope/Goals
  2. Principles
- VIII. Plans for Next Meeting – October 23, 2015 – Continued Development of Preliminary Recommendations

**3:30 p.m. Meeting Adjourned**

Background Information and Past Meeting Materials may be accessed electronically on the Florida Courts website at:

<http://www.flcourts.org/resources-and-services/court-services/tcpa-pm-services.stml>

FLORIDA SUPREME COURT  
COMMISSION ON TRIAL COURT PERFORMANCE & ACCOUNTABILITY  
PERFORMANCE MANAGEMENT WORKGROUP

---

**CHAIR:**

The Honorable Victor L. Hulslander  
Circuit Judge, Eighth Judicial Circuit  
Alachua County Family & Civil Justice  
Center  
201 E. University Avenue, Room 301  
Gainesville, Florida 32601  
(352) 374-3643 Fax (352) 381-0185  
[vlh@circuit8.org](mailto:vlh@circuit8.org)  
JA: Tami Smith  
[smitht@circuit8.org](mailto:smitht@circuit8.org)

**MEMBERS:**

Mr. Mike Bridenback  
Court Administrator  
Thirteenth Judicial Circuit  
Hillsborough County Courthouse  
800 E. Twiggs Street, Room 604  
Tampa, Florida 33602  
(813) 272-5894  
[bridenml@fljud13.org](mailto:bridenml@fljud13.org)

The Honorable Herbert J. Baumann, Jr.  
Circuit Judge, Thirteenth Judicial Circuit  
Hillsborough County Courthouse  
800 E. Twiggs Street, Room 430  
Courtroom # 413  
Tampa, Florida 33602  
(813) 272-5211 Fax (813) 301-3765  
[baumanhj@fljud13.org](mailto:baumanhj@fljud13.org)  
JA: Robyn D'Agresta  
[dagresrr@fljud13.org](mailto:dagresrr@fljud13.org)

The Honorable Cynthia Cox  
Circuit Judge, Nineteenth Judicial Circuit  
2000 16<sup>th</sup> Avenue, Suite 383  
Vero Beach, Florida 32960  
(772) 770-5231  
[cox@circuit19.org](mailto:cox@circuit19.org)  
JA: Havelly White  
[whiteh@circuit19.org](mailto:whiteh@circuit19.org)

The Honorable John F. Lakin  
Circuit Judge, Twelfth Judicial Circuit  
Manatee County Judicial Center  
1051 Manatee Ave West  
Bradenton, Florida 34206  
(941) 749-3625  
[jlakin@jud12.flcourts.org](mailto:jlakin@jud12.flcourts.org)  
JA: Cathy  
[creed@jud12.flcourts.org](mailto:creed@jud12.flcourts.org)

The Honorable George Reynolds  
Circuit Judge, Second Judicial Circuit  
301 S. Monroe Street, Room 301-D  
Tallahassee, Florida 32301  
(850) 577-4308 Fax (850) 577-8022  
[GeorgeR@leoncountyfl.gov](mailto:GeorgeR@leoncountyfl.gov)  
JA: Kelly Porritt  
[porritt@leoncountyfl.gov](mailto:porritt@leoncountyfl.gov)

Michelle Spangenberg  
Director of Case Management  
Fifteenth Judicial Circuit  
Main Judicial Complex  
205 North Dixie Highway  
West Palm Beach, Florida 33401  
(561) 355-6396  
[mspangen@pbcgov.com](mailto:mspangen@pbcgov.com)

The Honorable William F. Stone  
Circuit Judge, First Judicial Circuit  
Okaloosa County Courthouse, Annex Extension  
1940 Lewis Turner Boulevard  
Fort Walton Beach, Florida 32547  
(850) 609-5414  
[judge.stone@flcourts1.gov](mailto:judge.stone@flcourts1.gov)  
JA: Frannie Natalie  
[frannie.Natalie@flcourts1.gov](mailto:frannie.Natalie@flcourts1.gov)

Nick Sudzina  
Court Administrator, Tenth Judicial  
Circuit  
Polk County Courthouse  
P.O Box 9000  
Bartow, Florida 33831-9000  
(850) 534-4690  
[nsudzina@jud10.flcourts.org](mailto:nsudzina@jud10.flcourts.org)

**STAFF:**

Ms. Patty Harris  
Senior Court Operations Consultant  
Office of the State Courts Administrator  
Court Services  
500 South Duval Street  
Tallahassee, Florida 32399-1900  
(850) 410-1236 Fax (850) 414-1342  
[harrisp@flcourts.org](mailto:harrisp@flcourts.org)

Ms. Maggie Evans  
Court Operations Consultant  
Office of the State Courts Administrator  
Court Services  
500 South Duval Street  
Tallahassee, Florida 32399-1900  
(850) 410-0020 Fax (850) 414-1342  
[evansm@flcourts.org](mailto:evansm@flcourts.org)

Victor S. McKay  
Senior Court Analyst II  
Office of the State Courts Administrator  
Court Services  
500 South Duval Street  
Tallahassee, Florida 32399-1900  
(850) 410-3282  
[mckayv@flcourts.org](mailto:mckayv@flcourts.org)

**Workgroup on Performance Management**  
**June 19, 2015**  
**Meeting Summary**

---

I. Welcome and Opening Remarks, Judge Victor Hulslander, Chair

Judge Hulslander opened the meeting and welcomed Judge George Reynolds as the new liaison from Florida Courts Technology Commission (FCTC).

II. April 17<sup>th</sup> Meeting Summary

The group reviewed the April 17<sup>th</sup> Meeting Summary and Judge Hulslander asked if there were any questions regarding the previous meeting.

III. Proposal by the TCP&A on the Supreme Court Directive

The group reviewed the TCP&A proposal to address the Supreme Court directive on developing a plan and vehicle to compel the clerks to collect and report on new data elements. The TCP&A approved the Uniform Case Reporting (UCR) Project plan and additional data elements developed by the Court Statistics and Workload Committee and vetted through the Performance Management Workgroup. A draft AO would be developed as a vehicle for compliance. The plan indicates that the draft AO would be drawn up and provided to the Court by the October 1 deadline. The long-term strategy of the proposal would complement the Judicial Data Management Services project.

The workgroup determined that benchmarks for the measures calculated through the UCR project would need to be established over the coming year. In developing the benchmarks, the group would review current rules and time standards. It was estimated that at least two years of clean data would allow a baseline to be established. Through that time period, additional elements and measures could be determined and the measures within the benchmarks could be evaluated.

Concern was expressed that the clerks would be caught off guard with the establishment of new reporting requirements. Staff responded that there are clerk representatives on the Court Statistics and Workload Committee who are aware of the proposal. It was suggested that a clerk representative be asked to participate during a future workgroup meeting as a means to get feedback on the proposal and implementation issues. Staff would look into the possibility.

IV. Plans for Next Meeting – In-Person August 28<sup>th</sup>

The next meeting of the workgroup is scheduled to be held in Orlando on August 28<sup>th</sup>. It is anticipated that the group will be provided a status update on the UCR project as well as begin developing preliminary recommendations.

**Commission on Trial Court Performance and Accountability  
Workgroup on Performance Management  
Orlando, Florida  
August 28, 2015**

**Item III.: Status Update on the Uniform Case Reporting Project**

**Background**

On April 1, 2015, Judge Moreland, as chair of the TCP&A, received a letter from Chief Justice Labarga. The letter referred to the Judicial Management Council's Performance Workgroup report and recommendations and directed the commission to specifically address JMC Performance Workgroup Recommendation 1. As noted in the letter, this directive supplements existing Charge One of AOSC14-40, which requires the commission to develop recommendations on a performance management framework for the trial courts with an emphasis on articulating long-term objectives for better quantifying performance to identify potential problems and take corrective action in the effective use of court resources; propose a plan for the development of benchmarks and goals for performance measures identified in the Trial Court Integrated Management Solution report; and collaborate with the Judicial Management Council's Performance Workgroup on the prioritization of performance data needs to enhance the court system's ability to better evaluate branch outputs and outcomes.

The JMC's Recommendation 1 states that "...the Supreme Court charge the Commission on Trial Court Performance and Accountability to propose clerk collection and reporting requirements that address: the collection of specific data elements, transmission of that data in a prescribed format, and directs those transmissions to occur in a timely manner to enhance performance reporting." The Court notes that "the assessment and recommendations should build upon and be consistent with other work in this area, in particular the 2010 Trial Court Integrated Management Solutions Project. It should also include a draft of the proposed vehicle to require the reporting requirements (new court rule of procedure, amended court rule of procedure, administrative order, or similar authoritative mechanism)."

The Court asked that the commission complete an initial review and submit recommendations by June 30, 2015. Additionally, the commission is asked to submit the final assessment and recommendations by October 1, 2015. Upon receipt of the letter, Judge Moreland referred the issue to the TCP&A Performance Management Workgroup and the Court Statistics and Workgroup Committee (CSWC) for consideration in developing a data plan that satisfies the Court referral. These committees developed several recommendations that would ultimately spearhead the implementation of the Judicial Data Management Services (JDMS) component of the Integrated Trial Court Adjudicatory System.

In anticipation of the data collecting recommendations, the TCP&A considered the following implementation issues:

- 1) Vehicle to Compel Reporting. The Supreme Court directed the TCP&A to provide a draft of the proposed vehicle to compel the clerks to meet the reporting requirements. Due to the

lengthy process of rule amending, the CSWC is recommending an administrative order process similar to that used in the FY 2013-15 Foreclosure Initiative. The administrative order will direct the clerks to transmit certain data elements based on specifications outlined in the OSCA's data collection plan. The data collection plan will specify an implementation schedule to include transmission format, transmission frequencies and quality/correction mechanisms.

- 2) Specifications for Collection of Data. Ancillary to the vehicle through which to compel reporting, the third recommendation of CSWC addresses on-going administration of the data collection plan once it is developed by OSCA. Implementing a new data collection system often requires some flexibility. Approval of this recommendation will enable the OSCA to update or amend the data collection plan as necessary. For example, the OSCA could change the length of one of the data elements from 30 characters to 50 characters or add a new reason for status change code. However, major changes, such as adding new data elements would require approval by the TCP&A and the Supreme Court.
- 3) Reliability of Data Collected. To ensure reliability in the data collected, the CSWC recommends that the OSCA include systemic data quality design elements in the Uniform Case Reporting (UCR) Project data collection plan. For instance, by directing the clerks to report data on a daily basis, this increased frequency of data transmission will allow a more accurate and reliable data set because the OSCA will receive the data nearest as possible to when data is first created. Also, they recommend that the OSCA implement specific auditing processes to validate the data collected in this proposal (adding audits on reopens). However, they note that other quality control mechanisms should be explored to seek additional opportunities that may result in enhancement or uniformity of local quality control practices.
- 4) Analysis/Reporting of Seventeen Data Elements. While the collection of these data elements will provide for the computation of the following three CourTools: Time to Disposition, Age of Active Case Pending Caseload and Clearance Rates, the CSWC recommends that additional study be conducted to further specify what uses of this data are anticipated, what other measures are to be computed and what actions may be taken once this data is analyzed.
- 5) Process for Adding New Data Elements and Performance Measures Over Time. Lastly, while the seventeen data elements represent a starting point to comprehensive case activity data collection at the state-level, flexibility should be written in any proposal to allow more data elements to be added over time. The CSWC recommends that the TCP&A Performance Management Workgroup review, perhaps on a 2 year cycle, the elements of the Trial Court Data Model to identify new data elements to be added to JDMS. Further, the CSWC recommends that the Workgroup consider and identify measures for the data elements targeted. These new data collection and reporting requirements should be considered by CSWC as part of future enhancement projects.

### **TCP&A Recommendations Submitted to Supreme Court**

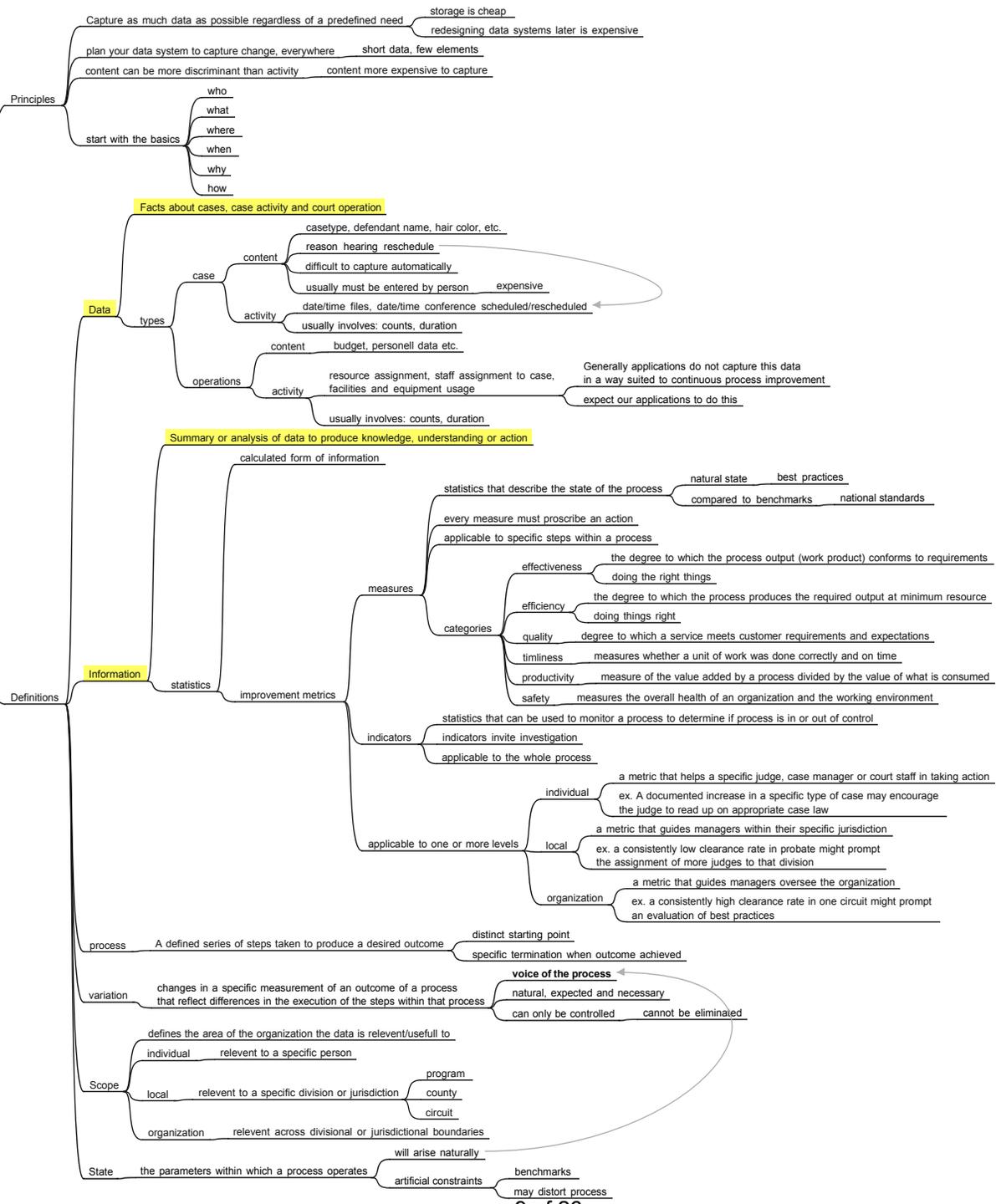
In consideration of these issues, the TCP&A submitted the CSWC report and the Performance Management Workgroup comments to the Supreme Court on July 1, 2015. Additionally, the TCP&A determined the next steps for the project, as follows:

- 1) In consideration of the October 1, 2015 deadline:
  - a. Direct TCP&A staff to develop a draft administrative order to compel reporting of the seventeen data elements.
  - b. Direct CSWC staff to develop a data collection plan in accordance with the recommendations of the CSWC. Specifically, include detailed instructions to the clerks regarding an implementation schedule, transmission format, transmission frequency (daily, at a minimum), and quality/correction mechanisms.
- 2) Direct the TCP&A Performance Management Workgroup to submit by July 1, 2016 recommendations on analysis/reporting needs for the seventeen data elements. For instance, specify new descriptive measures that may be computed such as Number of Complex Civil Litigation Cases, Number of Active versus Inactive Cases, and Number of Reopened Active versus Reopen Inactive Cases. Specify how these reports should be used/disseminated through the organization to achieve data quality and operational management needs.

**Workgroup Action Needed**

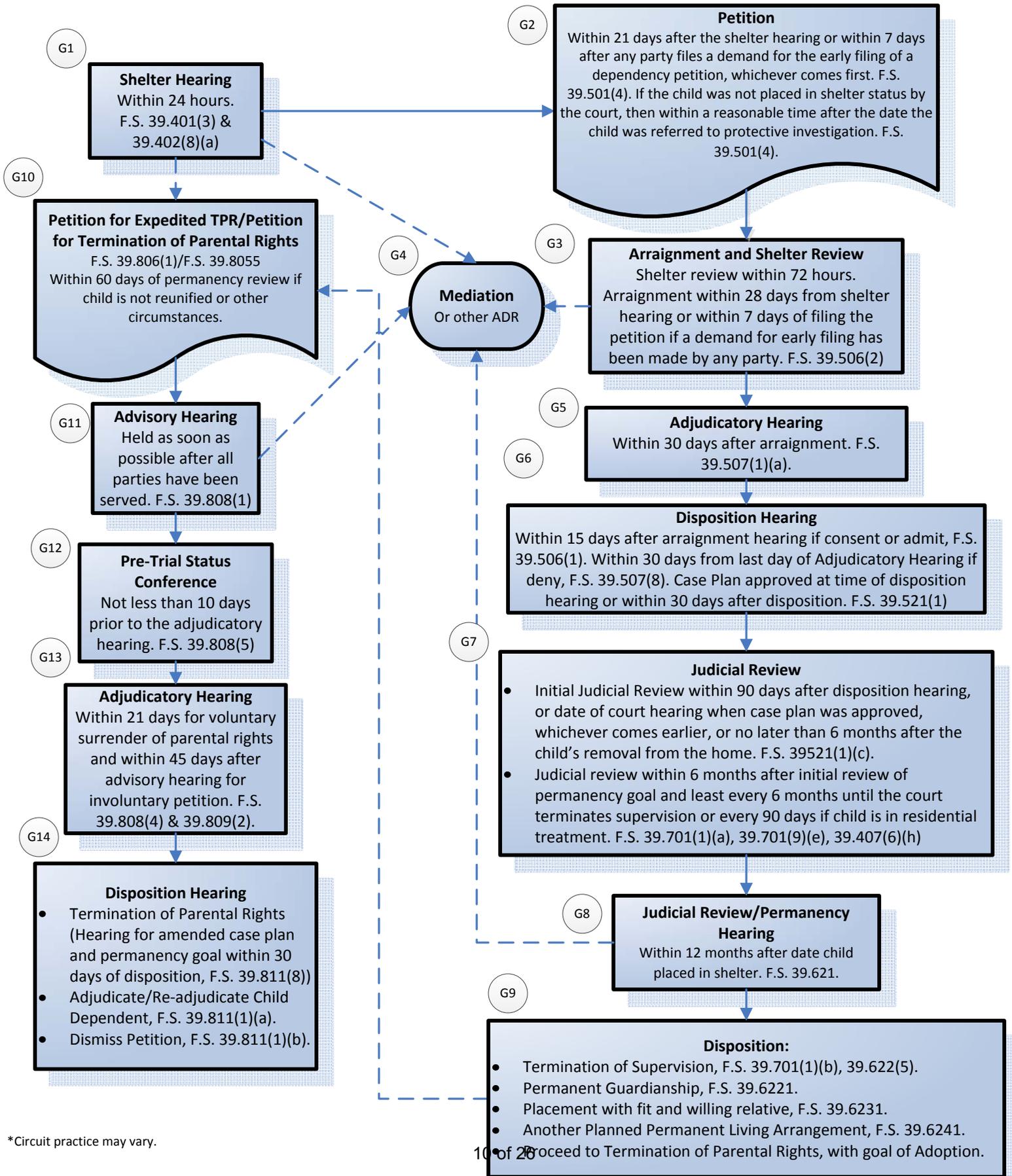
For informational purposes. No action needed at this time.

**Continuous Process Improvement Basic Concepts**



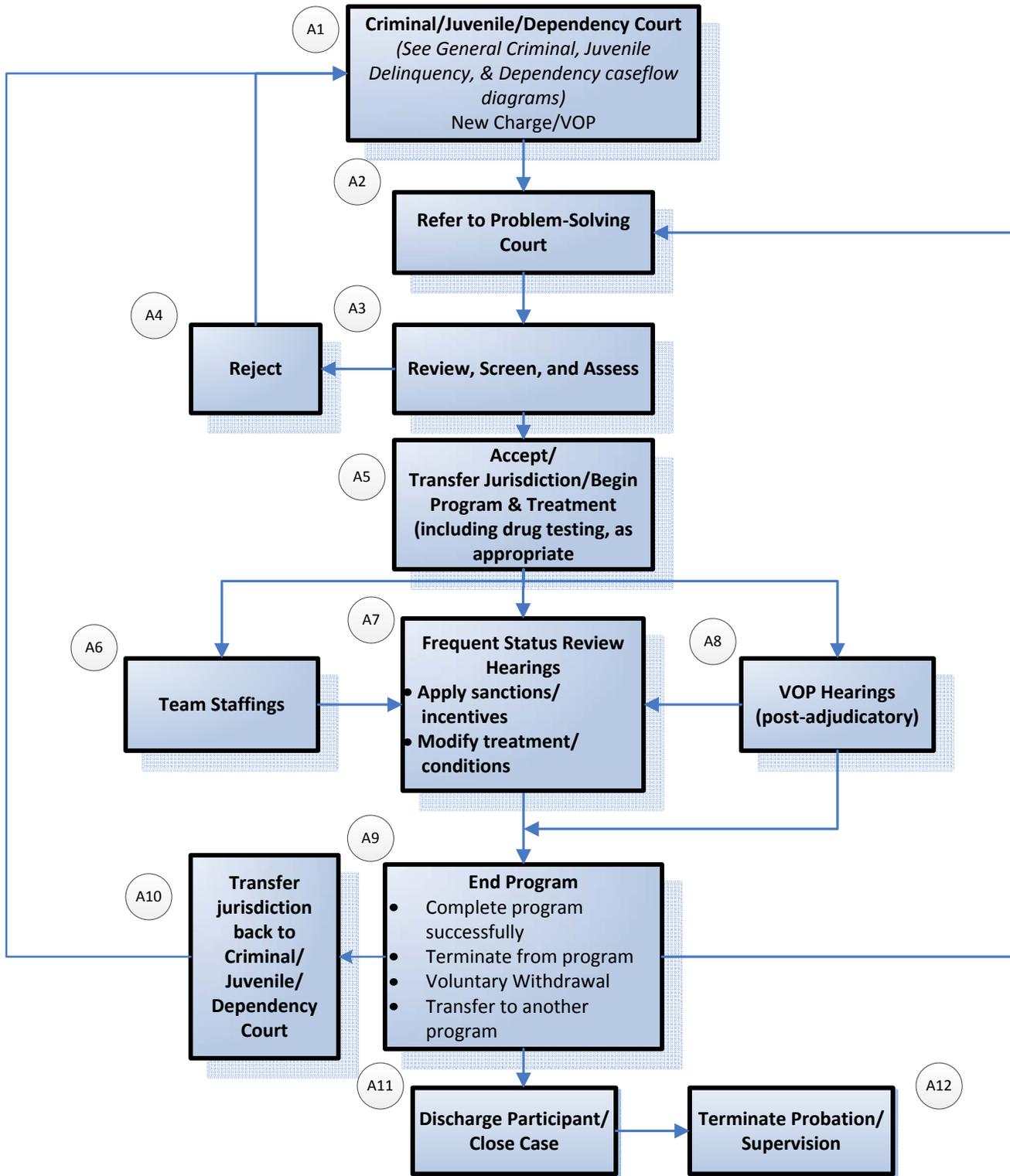
# TIMS Phase One Family Workgroup Dependency\*

Example of a highly proscribed process -- measure adherence to benchmarks



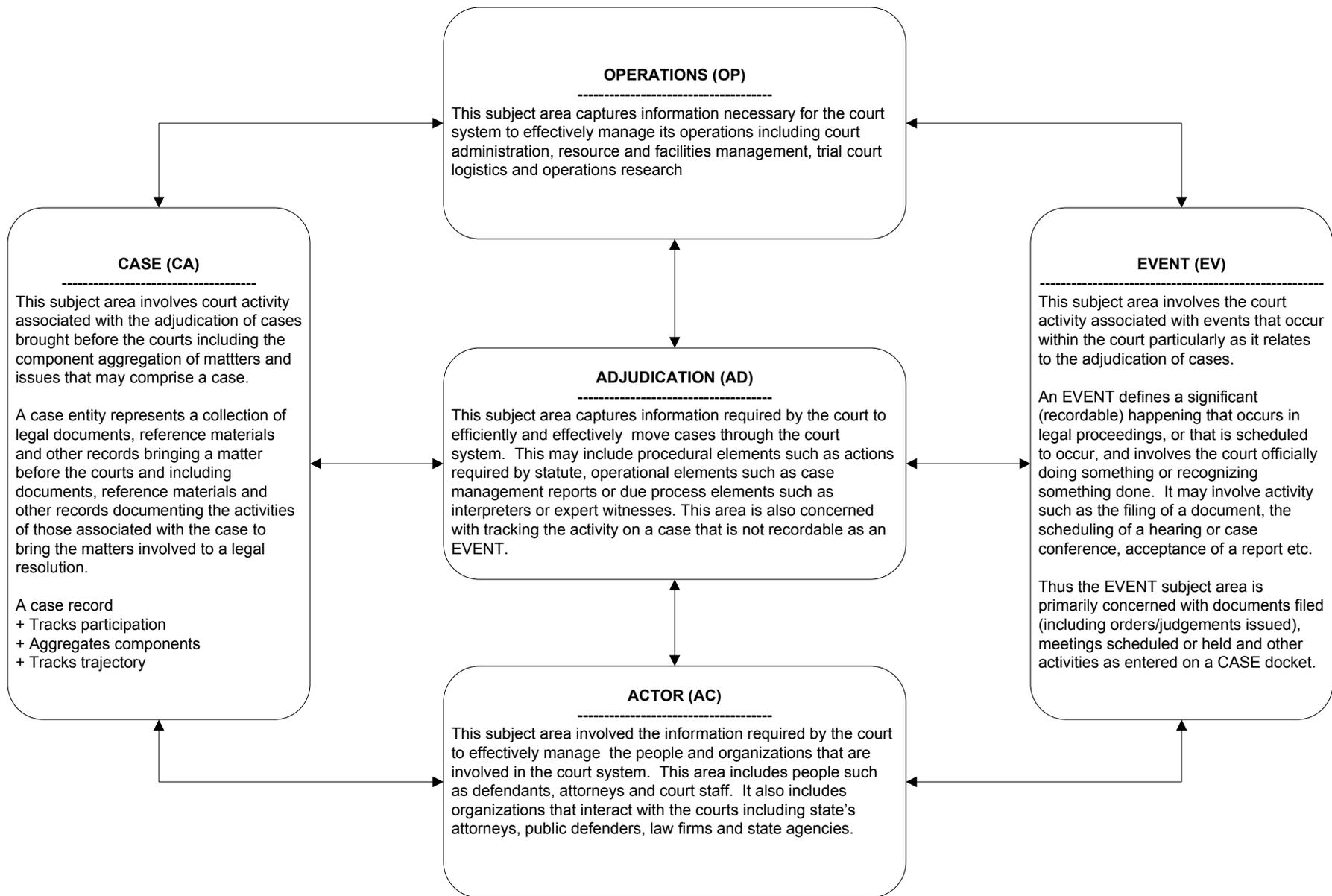
\*Circuit practice may vary.

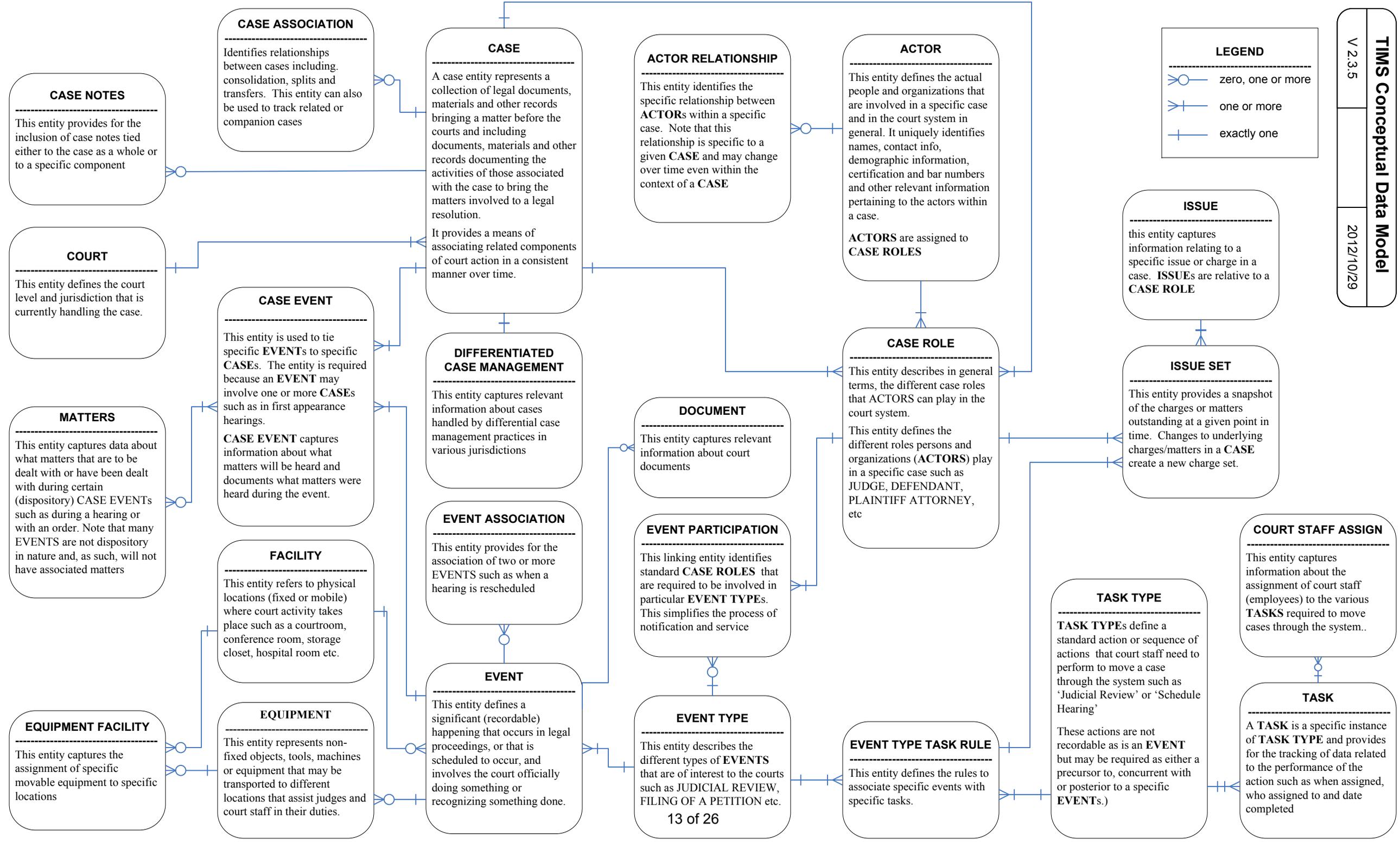
# TIMS Phase One Problem-Solving Courts Workgroup General Problem-Solving Court\*

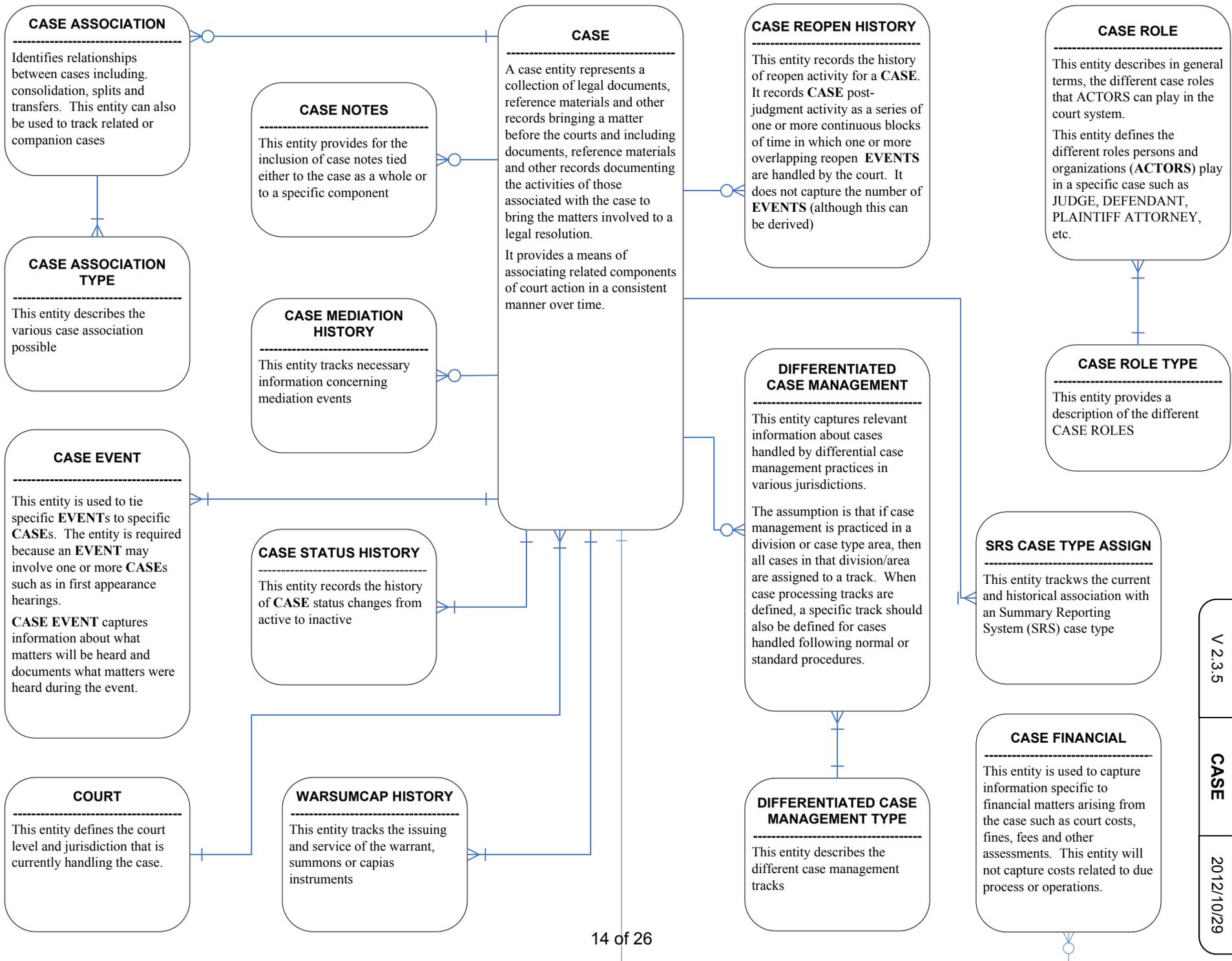


\* Circuit practice may vary.

Example of a non-prescribed process  
measure the "voice of the process"







## **CASE**

### **Definition:**

This entity effectively enables the court to encapsulate a complex set of component matters into a coherent set of records on the proceedings and dispositions of all associated matters. Thus the case structure provides a means of associating other related components of court activity in a consistent manner over time.

A case entity represents a collection of legal documents, reference materials and other records bringing a matter before the courts, and includes documents, reference materials and other records documenting the activities of those associated with the case to bring the matter involved to a legal resolution.

A case record:

1. Tracks participation
2. Aggregates smaller substantive components (motions, petitions, etc.)
3. Tracks trajectory of case (preliminary -> trial -> disposition, via hearings, conferences, etc.)

(Coursen, McMillan, 2010)

A case can be assigned to only one court level or jurisdiction at a time (COURT). If a case is transferred to another level or jurisdiction, a new case record is initiated. (i.e. The case receives a new identifying number.) (Coursen, McMillan, 2010)

### **Data Elements:**

<b>Data Element</b>	<b>Definition</b>
CASE ID	The unique system-generated identifier for this record.
UCN	Uniform Case Number
LCN	Local Case Number (assigned by local jurisdiction)
COURT ID	Associates case with a specific jurisdiction. The court entity group identifies the level of the court handling the case and the division.

Data Element	Definition
LOCAL ASSIGNMENT HISTORY ID <sup>(note 1)</sup>	Identifies the organizational group to which the case is assigned at the circuit level. Depending on local operations, this organizational group may refer to a court division or section within the circuit as a whole or within a specific county or may be composed of a smaller grouping such as arraignment court or even an unnamed block of hearings. The organizational group may involve the work of one single judge or of many judges
CASE INTIATION DATE/TIME	Date and time the initiating document was accepted by the clerk as a valid court filing. This field should equal the DOCUMENT ACCEPTANCE DATE/TIME from the initiating document EVENT. Field may be completed by information contained in the XML envelope provided by e-Portal.
PRIMARY JUDICIAL OFFICER ASSIGNED <sup>(note 1)</sup>	Identifies the current judicial officer assigned to oversee the case. Since this officer may change over the life of a case, the JUDICIAL ASSIGNMENT entity will track assignment history
SRS CASETYPE ASSIGNMENT ID <sup>(note 1)</sup>	The unique identifier of the current SRS case type assignment record. The history of CASETYPE assignment is tracked in the SRS_CASETYPE_ASSIGNMENT entity.
CASE RESTRICTION FLAG	A flag to indicate that a CASE has special restrictions placed on its use. Refer to entity CASE_RESTRICTION_HISTORY
COUNTY	The two digit numeric code that identifies the county in which the CASE originated/handled. Note that cases transferred from other jurisdictions are considered disposed in the transferring jurisdiction and are initiated (as if new) in the county transferred to. This action may generate a CASE ASSOCIATION entry. Technically, this information is captured as part of the COURT ID field. However, the county code is used so frequently that the extra efficiency resulting from the code as a separate field far outweighs the extra storage.
DATE/TIME DISPOSED	Date and time of the disposition EVENT (order, ruling or other recordable action) that disposes of the CASE. More often than not, this field will contain a date only.
CASE REOPEN FLAG	Flag to indicate CASE is currently in reopen state. May be necessary if other reopen fields are moved to a separate entity. See CASE_REOPEN_BLOCK HISTORY entity

<b>Data Element</b>	<b>Definition</b>
CASE REOPEN BLOCK HISTORY ID <sup>(note 1)</sup>	The unique identifier of the CASE REOPEN BLOCK HISTORY entity describing the current reopen event
CASE STATUS HISTORY ID <sup>(note 1)</sup>	The unique identifier of the CASE STATUS HISTORY entity describing the current case status.
RECURRENT FLAG	A flag to denote that the case has a scheduled future action that requires the court to track the case even though it is technically disposed.
RECURRENT CALENDAR ID <sup>(note 1)</sup>	The unique ID of the CALENDAR entry that records the date and time that the next recurrent/future action is to occur.
INTESTATE/TESTATE FLAG	Flag to indicate if probate case is Intestate (I) or Testate (T).
CASE REFERRED TO MEDIATION FLAG	Flag to indicate that case has been referred to mediation. Refer to CASE MEDIATION HISTORY entity for a list of mediation events.
CASE MEDIATION HISTORY ID <sup>(note 1)</sup>	The unique ID of the CASE MEDIATION HISTORY record describing the most recent mediation event
SRS DISPOSITION TYPE ID <sup>(note 1)</sup>	The unique identifier of the record tracking the current SRS disposition category. History data is tracked in SRS_DISPOSITION_HISTORY.
CONTESTED FLAG	A flag to indicate that a civil case has been contested (Family, Dependency) or is designated as adversarial under Fl. Prob. Rules 5.025 (Probate).
JURY TRIAL FLAG	A flag to denote that this case involved a jury trial. This flag may be set based upon the SRS DISPOSITION TYPE, in response to the scheduling of a jury EVENT, the filing of a demand or notice for jury trial (circuit civil), when reported via transactional data (circuit/county criminal) or when otherwise reported by the clerk of court.
DOCKET HISTORY ID <sup>(note 1)</sup>	The unique identifier of the DOCKET HISTORY record (EVENT summary) (CCIS 2.0, 1.12)
OUTSTANDING WARSUMCAP FLAG	A flag to indicate that a warrant, summons or capias has been issued on this case and has not yet been served. (outstanding) See WARSUMCAP entity.

---

---

<b>Data Element</b>	<b>Definition</b>
PRO SE FLAG	A flag to indicate that at least one of the parties involved is acting Pro Se.
CASE ACTIVE FLAG	A flag to denote whether a CASE is in an ACTIVE status
CASE INACTIVE FLAG	A flag to denote whether a CASE is in an INACTIVE status
CASE CLOSED FLAG	A flag to denote whether a CASE is in a closed state
RECORD SOURCE	A code to identify the source of the latest update to this record: 0 – unknown, ` - clerk CMS, 2 – CCIS, 3 – OBTS, 4 – Status Reports, 254 – dummy. Other values will be assigned as additional sources are identified

Notes:

1. Fields are included for logical relationships and need not be represented in the physical data model. They may need to be represented as views within the physical data base or application.

## EVENT

### Definition:

This entity defines a significant (recordable/docketable) happening that occurs in legal proceedings, or that is scheduled to occur in the future, and that involves the court officially doing something or recognizing something that someone external has done. For simplicity, recordable in this context may be considered those happenings related to court activity that would appear on a court docket or otherwise require the making of a historical record by the Clerk of Courts in their official capacity. It may involve activity such as the filing of a specific document, the scheduling of a hearing or case conference, a case review, conference call, and so on. An event must have a date and may also have a time and duration (such as a hearing) (Coursen, McMillan 2010). An event may contain reference other events, as when a hearing is rescheduled, and it may generate TASKS.

The workgroups may determine that certain non-recordable activities are of such importance to case processing that these activities rise to the level of an EVENT. However, most court activities can better be classified as TASKS, so the bar for inclusion in the EVENT entity should be set, on principle, very high.

EVENT is an instance of one EVENT TYPE. Common types could include hearings, motions, recognition of an occurrence such as the submission of a document or the receipt of a report, passing of sentence, etc.

The EVENT is one of the most complex entities in this model. An EVENT can contain or reference other EVENTS, such as a hearing on one or more motions, which are also EVENTS. An EVENT may be associated with one or more other EVENTS via the EVENT ASSOCIATION entity.

An EVENT can involve several different cases at one time, such as is common in the county court where several cases against a defendant may be scheduled to be heard at one time. Consequently, a specific EVENT is related to a specific CASE via another entity called the CASE EVENT, which provides a one-to-one correspondence between the EVENT and a CASE.

The EVENT entity also may reference one or more CASE ROLES (as EVENT PARTICIPANT) that are directly involved in the EVENT. For example, the filing of a motion directly involved the DEFENDANT'S ATTORNEY (as filer) as the EVENT PARTICIPANT.

An EVENT may require the use of certain equipment or courtrooms. This information is tracked via the FACILITY and the EQUIPMENT entities.

The EVENT entity also provides for the association of supporting judges and quasi-judicial officers, such as General Magistrates, Hearing Officers or Senior Judges to handle a particular action while continuing to associate a specific JUDGE to the CASE as a whole.

**Data Elements:**

Data Element	Definition
EVENT ID	The unique system-generated identifier for this specific EVENT.
EVENT TYPE ID	Describes the type of event, such as a hearing or document filing.
EVENT DATE/TIME	The date and time the event occurred. For example, this field would contain the document time stamp for a document was accepted by the clerk or date and time of scheduled hearing/case conference. Not all events have a time associated with them, so by default, the time is set to 00:00:000.
FACILITY ID	Identifies the courtroom, conference room or other facility where the event occurs.
UCN	The uniform case number of the case to which this EVENT applies. Note: In some instances such as the scheduling of a block hearing in which many cases may ultimately be included, this field may be blank. When present, this field will establish the corresponding CASE EVENT entry.
COUNTY	The two digit numeric code that identifies the county in which the CASE originated/handled. This field will establish the corresponding CASE EVENT entry.
JUDICIAL OFFICER ASSIGN ID	Allows a specific JUDICIAL OFFICER (judge, GM, HO etc.) to be assigned to handle the event. In the circumstance of a single case EVENT, the default is the judicial officer of record (from the CASE ROLE entity).
EVENT ACTOR ID	The logical ACTOR (or CASE ROLE) initiating the EVENT, such as the judge who issues the order or the attorney who files a motion. This data element may be absorbed into the EVENT PARTICIPANT entity.
CASE INTITIATION FLAG	Flag to indicate that this EVENT initiates a case. Since no CASE yet exists, this flag signals the system to create a new CASE record. Typically, the EVENT is associated with a document, but in rare circumstances, a case may be initiated by other EVENTS.

Data Element	Definition
<b>Meeting</b>	<b>This sub-entity captures information about the scheduled activity involving the actors in a case. (hearings, trials, case conferences, etc.) Except for MEETING TYPE ID, the fields in this sub-type are primarily to capture block events such as the scheduling of an arraignment hearing in which multiple cases may be heard in the same block of time. For EVENTS specific to a particular CASE, these same field elements are reflected in the CASE EVENT entity.</b>
MEETING TYPE ID	The unique identifier that denotes the type of meeting such as case conference, hearing, trial, arraignment mediation session, etc.
DATE/TIME SCHEDULED	Date and time for which the meeting is scheduled. This (and related TIME/DURATION fields) may be extracted from an associated CALENDAR entry or used as the source for a system-generated CALENDAR entry.
DURATION	A meeting has an inherent duration.
DATE/TIME HELD	The date and time the meeting actually occurred.
DATE/TIME CANCELLED	The date and time that the cancellation of the meeting was recorded in the system. Note that rescheduling of a meeting is equivalent to the cancellation of the first meeting and scheduling a second. The user of the system would record a rescheduling while the system should record the cancellation and scheduling activity transparently for the user including the creation of an EVENT ASSOCIATION entry linking these two events.
REASON CANCELLED	A reason why the meeting was cancelled/rescheduled.
ACTOR CANCELLING	The ACTOR or CASE ROLE ID of the person cancelling/rescheduling the meeting. (JUDGE, DEFENDANTS, ATTORNEY, etc.)
DOCKET TYPE	A text field to denote the type of meeting that is occurring such as "Eviction", "Trial", "case conference", etc. This field is supplied by the Clerks of Court and will help identify the MEETING TYPE ID.

Data Element	Definition
<b>Document</b>	<b>This sub-entity of the EVENT captures information about documents submitted in connection with a CASE. Except for DOCUMENT ID, which is required for all documents, the remaining fields in this sub-entity are completed only when a document initiates a case since there is no corresponding CASE to tie the document to. See CASE EVENT and DOCUMENT entities for additional information.</b>
DOCUMENT ID	A unique identifier for the document (as separate from the EVENT ID). This identifier may be assigned via the e-Portal or locally by the Clerk of Court.
DOCUMENT SUBMISSION DATE/TIME	Date and time the document was submitted to the portal or filed with the Clerk of Court. This date/time does not indicate that the clerk has accepted the document as a valid filing. When document is filed through the portal, this field captures the submission date/time. When filing manually, this field indicates date/time document received.
DOCUMENT ACCEPTANCE DATE/TIME	Date and time the document was accepted by the clerk of court as a valid court filing. Provided as part of the XML envelope for e-filed documents.
DOCUMENT TYPE ID	Motion, pleading, petition, order, judgment, opinion, notice, decree, case cover sheet, evaluation report, brief, arrest report, traffic citation, etc. (others?)
PARTY ID	Indicates on whose behalf the filing is made. (primary party or on behalf of)
<b>Docket Entry</b>	<b>This sub-entity captures a specific docket entry that records significant activity on a case for which there is no corresponding document filed or meeting scheduled. While the recording of a docket entry is an EVENT, it always occurs in the relationship to a CASE. Thus, all of the data elements appropriate for the EVENT are also appropriate for the CASE EVENT. See the associated CASE EVENT for field list.</b>

**Commission on Trial Court Performance & Accountability**  
**Performance Management Workgroup**  
**Orlando, Florida**  
**August 28, 2015**

**Item V. Review by the Office of Program Policy Analysis and Government Accountability**

The budget for the current fiscal year<sup>1</sup> includes a directive to the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA)<sup>2</sup> to complete a review of the circuit courts and the Judicial Qualifications Commission. Specifically, the language provides:

“... the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct an organizational and operational review of the state court system, at the circuit-level, that shall include, but not be limited to: 1) a staffing study including the adequacy of staffing and assessment of administrative staffing ratios; 2) an evaluation of the efficiency and effectiveness of court administration; 3) an assessment of the court's case processing and recommendations to improve efficiency; 4) the use of training and travel funds for judges and staff; 5) an assessment of the structure, function, and effectiveness of the Judicial Qualifications Commission in disciplining and reviewing the conduct of judges and justices; and 6) the identification of best practices that promote the effective administration of justice in Florida. The courts shall provide OPPAGA with requested data on all relevant areas of court operations. The study shall be provided to the President of the Senate, the Speaker of the House of Representatives and the Governor no later than December 1, 2015.”<sup>3</sup>

OPPAGA staff have been working with the Office of the State Courts Administrator to gather overview information relating to the issues specified in the budget language. Among some of the topics covered are procedures and criteria relating to court education; the development, oversight, and management of the trial court budget; the personnel classification system and court staffing levels; and the use of technology in the adjudication of cases and in activity and performance measurement.

This week, OPPAGA staff began contacting circuit courts to request information and to schedule site visits. At this time, not all circuits are expected to be contacted. Of those that are, OPPAGA staff plan to speak with the chief judge, the trial court administrator, and select other persons such as administrative judges, other judges, technology officers, case managers, or law clerks. They expect to finalize more specific information requests and may expand their review plan as they continue through the process.

As noted above, the final study must be submitted to legislative leaders and the Governor by December 1.

---

<sup>1</sup> Senate Bill 2500 (2015), available at <http://www.flsenate.gov/Session/Bill/2015A/2500A/BillText/er/PDF> (last visited August 25, 2015).

<sup>2</sup> The Office of Program Policy Analysis and Government Accountability is an office of the Legislature that “provides data, evaluative research, and objective analyses to assist legislative budget and policy deliberations. OPPAGA conducts research as directed by state law, the presiding officers, or the Joint Legislative Auditing Committee.” “About OPPAGA,” <http://www.oppaga.state.fl.us/shell.aspx?pagepath=about/about.htm> (last visited August 25, 2015).

<sup>3</sup> Included in Special Appropriation 2668 of Senate Bill 2500 (2015), available on page 351 at <http://www.flsenate.gov/Session/Bill/2015A/2500A/BillText/er/PDF> (last visited August 25, 2015).

**Item VII.: Development of Preliminary Recommendations – Scope/Goals and Principles**

**Scope/Goals**

The scope of a project is the definition of what the project is supposed to accomplish, based on the goals. Scope defines specifically what tasks are to be performed or results delivered. Generally, scope can be determined by answering the following questions:

1. Who is the target audience?
2. What are the expectations and goals?
3. What is already in play?
4. What constraints are there?
5. What assumptions exist?

In 1999, the Commission on Trial Court Performance and Accountability set out to define the scope of a performance and accountability program for the trial courts. They issued a report discussing the capacity of the trial courts to measure and report on their performance. The report articulated a mission of the trial courts, legitimate expectations common to all trial court divisions, program outcomes, performances measures, and standards for trial court programs. Additionally, the report recommended steps to further implement a performance and accountability program.

Within the report, the TCP&A distinguishes the functions of the trial courts between those functions that are *inherent* versus *integrated*. They define inherent functions as those that are “core” or “essential” to the trial court system necessary to effectuate the mission of the trial courts. Integrated functions are defined as those activities that are based on the need to effectuate public policy or respond to legitimate public expectations. This basic distinction of the activities of the trial courts provides a framework for considering all of the activities with respect to the public benefit they provide. They note the responsibility of the judicial branch is to provide accountability mechanisms for the people of Florida in the performance of those functions inherent to the trial courts. At the same time, it is the responsibility of the judicial branch to administer these accountability mechanisms in way that does not diminish judicial independence. The TCP&A suggests that the constitutional basis for core court functions (inherent functions) places responsibility for the performance of those functions exclusively to the judicial branch. In contrast, the constitutional basis for the performance of court programs (integrated functions), does not place responsibility for the performance of those functions exclusively on the judicial branch. Rather, since integrated functions can be supported by local government, state government, the federal government, or even through grant funding, the court(s) that provide an integrated function must share an obligation with that entity for the provision of that service.

Since the issuance of the 1999 TCP&A report, the implementation of Revision 7 to Article V of the Florida Constitution resulted in the enumeration of the essential elements of the trial court system. These essential elements are provided for under F.S. 29.004, State courts system. The statutory enumeration of the elements mirror many of the inherent activities espoused by the TCP&A in their 1999 report. For instance, s. 29.004 describes the inherent, “essential” activities of the State Courts System as:

1. Judges appointed or elected pursuant to chapters 25, 26, 34, and 35.

2. Juror compensation and expenses.
3. Reasonable court reporting and transcription services necessary to meet constitutional requirements.
4. Construction or lease of facilities, maintenance, utilities, and security for the district courts of appeal and the Supreme Court.
5. Court foreign language and sign-language interpreters and translators essential to comply with constitutional requirements.
6. Expert witnesses who are appointed by the court pursuant to an express grant of statutory authority.
7. Judicial assistants, law clerks, and resource materials.
8. General magistrates, special magistrates, and hearing officers.
9. Court administration.
10. Case management. Case management includes:
  - a. Initial review and evaluation of cases, including assignment of cases to court divisions or dockets.
  - b. Case monitoring, tracking, and coordination.
  - c. Scheduling of judicial events.
  - d. Service referral, coordination, monitoring, and tracking for treatment-based drug court programs under s. 397.334
  - e. Case management may not include costs associated with the application of therapeutic jurisprudence principles by the courts. Case management also may not include case intake and records management conducted by the clerk of court.
11. Mediation and arbitration, limited to trial court referral of a pending judicial case to a mediator or a court-related mediation program, or to an arbitrator or a court-related arbitration program, for the limited purpose of encouraging and assisting the litigants in partially or completely settling the case prior to adjudication on the merits by the court. This does not include citizen dispute resolution centers under s. 44.201 and community arbitration programs under s. 985.16.
12. Basic legal materials reasonably accessible to the public other than a public law library. These materials may be provided in a courthouse facility or any library facility.
13. The Judicial Qualifications Commission.
14. Offices of the appellate clerks and marshals and appellate law libraries.

## **Principles**

Generally, courts are guided by the notion of due process. As construed by the courts, due process means laws are applied equally to every individual under established rules which do not violate elemental rights. This concept is founded on the fundamental value of fairness; that every person has the right to their day in court and to have their case heard, considered, and resolved by an independent and impartial judge. Due process distinguishes two goals. Substantive due process is achieving more accurate legal rulings through the use of fair procedures. Procedural due process ensures appropriate and just procedures or processes are used to make people feel the government has treated them fairly. The rationale for court administration is to support the adjudicatory process by enhancing procedural due process. What constitutes court performance is measured independently and separately from the legal decision itself. By enhancing procedural due process through the use of performance management, judges would have more time to devote to the substantive aspects of due process.

One of the goals of a performance management framework is to draw a clear connection between basic principles of judges and managers and specific areas and measures of performance. Evidence guides the path to increased performance. Court principles are general beliefs judges and court managers have about how the administrative process should work to fulfill their responsibility to ensure legal decisions

are made in a manner that satisfies customer expectations. These principles can be powerful in shaping how judges and court managers gauge whether administrative practices are working as desired. If court practices are not consistent with the principles, judges will see to make them more procedurally fair. For this reason, principles are a critical first element in determining a performance management framework.

The National Center for State Courts developed administrative principles, based on procedural due process, as a critical first step in achieving a high performing court.<sup>1</sup> Those administrative principles include:

1. Giving every case individual attention.
2. Treating case proportionately.
3. Demonstrating procedure justice.
4. Exercising judicial control over the legal process.

By developing principles on the appropriate administration of justice, courts can then choose what type of administrative practices to follow. High performance occurs when the principles and the practices correspond with each other.

Court principles can be determined by answering the following question:

- What are the important values that the courts need to demonstrate in a performance management framework?

To protect judicial independence while ensuring accountability, the TCP&A, in their 1999 report, identified several principles regarding the of accountability mechanisms for inherent functions:

- Accountability to the people for the performance of the inherent functions of the courts is the responsibility of the judicial branch.
- Measurement of court performance of the inherent functions of courts should be descriptive rather than normative. An accountability system should not operate to impact the substantive outcomes of particular cases.
- The appropriate level of inquiry is the court and the system, not the individual judge. Constitutional mechanisms exist, including judicial elections and the Judicial Qualifications Commission, to address individual judge performance.

---

<sup>1</sup> Ostrom, B. and Hanson, R., Achieving High Performance: A Framework for Courts. (National Center for State Courts, April 2010).