

# **Response to Judicial Management Council Performance Workgroup Recommendation One Uniform Case Reporting (UCR) Project Final Proposal**

## **Direction**

On April 1, 2015 the supreme court charged the Commission on Trial Court Performance and Accountability (TCP&A) with developing a response to Recommendation 1 of the Judicial Management Council's (JMC) Performance Workgroup Recommendations, approved by the Judicial Management Council on February 27, 2015. This recommendation reads as follows:

*Recommendation 1 - The JMC Performance Workgroup recommends 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 supreme court's referral letter to TCP&A specified 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 (TIMS) Project. It also directed the inclusion of 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). It further requested that when developing recommendations, TCP&A consider continuation of the requirements delineated in AOSC13-28 and AOSC13-51, both relating to the FY2013-2015 Foreclosure Initiative reporting requirements. Coordination with the JMC Performance Workgroup is expected as these recommendations are undertaken.

The supreme court requested that TCP&A complete an initial recommendation related to this item and submit it for the court's review by June 30, 2015. The final assessment and recommendation should be submitted by October 1, 2015.

At its April 17, 2015 meeting, the TCP&A Performance Management Workgroup referred the matter to the Court Statistics and Workload Committee (CSWC) for further development.

## **Uniform Case Reporting (UCR) Project**

This proposed data reporting project addresses the supreme court charge to "...propose clerk collection and reporting requirements ..." It takes its name from s. 25.075, Florida Statutes directing the supreme court to develop a uniform case reporting system. While summary counts of cases have been collected under this statute for almost forty years, the court has not fully captured the underlying case detail that would provide essential organizational court and case management information. Given the complexity and cost of establishing new data reporting systems, this proposal advances seventeen data elements focused on basic court and case

activity. These elements will provide valuable court activity information and serve as a foundation for future court and case management projects.

## **Reporting Framework**

The CSWC has reviewed the Trial Court Data Model (TCDM) as presented in Appendix C of the 2010-2012 Trial Court Integrated Management Solutions (TIMS) Project report. The data elements and relationships defined in the TCDM of court activity. The TCDM already incorporates the data elements included in this proposal as well as many others that would be valuable to court managers in the long term. The CSWC suggests that the Performance Management Workgroup review the TCDM and prioritize the implementation of elements within the model by identifying associated organizational value for these elements. This prioritization will help guide additional system development planning.

Following the completion of the 2010-2012 TIMS Project, the supreme court approved the Integrated Trial Court Adjudication System (ITCAS) project as a next step to court management. The ITCAS project is designed to provide case and court management tools and capabilities to both judges and state level managers. The state-level data management component is called the Judicial Data Management Services (JDMS) system. The JDMS system represents a state-level implementation of the Trial Court Data Management Framework architecture as presented in Appendix M of the TIMS report.

The focus of JDMS is on state-level court activity data and analysis services for court managers and other stakeholders. The JDMS project will develop an integrated computing environment to provide state-level data management services to all elements of the court system as appropriate.

In a recent letter to the Florida Court Clerks and Comptrollers Association, the supreme court emphasized the use of the JDMS system as the primary mechanism to produce "... state-level, court activity data and analysis services." Accordingly, CSWC recommends that all new data collection efforts, including the Uniform Case Reporting (UCR) Project, be developed in accordance with the JDMS framework and principles. This framework is structured to provide the data receipt, processing, storage, and computational capability necessary for this proposed data collection project.

## **Project Implementation Principles**

The CSWC recognizes that effective and meaningful data collection is not without cost. The committee is sensitive to the potential impact of additional data collection on the clerks of court and court administration staff who will ultimately be responsible for collecting and reporting that data to the OSCA. The TCDM defines over 475 data elements describing essential court activity. While it is expected that court data management systems will evolve to capture all of this information, it is not expected that all of this information be captured at one time. To attempt to do so would prove prohibitively expensive and would overwhelm the data management capacity of county, circuit and state alike. On the other hand, the CSWC is also cognizant of the critical need for essential court and case management data.

Therefore, the CSWC recommends that new data collection and reporting requirements be specified using a phased approach as a series of small, manageable data collection projects that

focus on essential case and performance measurement needs. This will enable county, circuit and state staff to expand their data management systems following sound development practices, while providing a consistent and expanding stream of meaningful management data. This recommendation is consistent with the data management philosophy outlined in the TIMS report and with court data management principles set forth in AOSC09-30 In re: Standards for Electronic Access to the Courts, Section 6.

AOSC13-28 pertaining to the FY2013-2015 Foreclosure Initiative charged the Office of the State Courts Administrator (OSCA) with developing a detailed data collection plan for the Initiative. The supreme court further charged OSCA with administration and maintenance of this plan. The CSWC recommends that the supreme court similarly charge OSCA with development and execution of the proposed UCR Project data collection plan and delegate execution and management operations to the OSCA under Fla. R. Jud. Admin 2.245(a).

### **Initial Data Elements**

In response to Recommendation 4 of the JMC Performance Workgroup report, the supreme court recently issued AOSC15-9 In re: Continued Case Reporting Requirements for Real Property Mortgage Foreclosure Cases, which extends the data collection program established for the FY2013-2015 Foreclosure Initiative for the period of one year beyond June 30, 2015. The report cited the valuable information captured by this data collection program and its significant contributions to the reduction of foreclosure backlog in the courts. Additionally, it is noted that the twelve elements collected in this Initiative have broad applicability across all case types. Consequently, building upon and consistent with this highly successful Initiative, CSWC recommends that this twelve element data collection effort be expanded to encompass all divisions of court. Additionally, the data elements currently collected as part of this effort should be expanded from a total of twelve to a total of seventeen elements. These seventeen elements are instrumental in calculating basic macro level performance indicators for the court and in satisfying requirements of a variety of existing administrative orders, rules of court, and statutes. They are available in existing case maintenance systems, but have not previously been accessible to the courts in a readily usable form. This proposal would bring these elements together in a consistent format and provide a solid case data foundation for further work by the TCP&A Performance Management Workgroup.

The three case aging statistics measures computable from these proposed data elements are:

- Clearance Rate
- Average Time to Disposition
- Average Age of Pending Caseload

Additional case statistics and case inventory reports are possible from the full seventeen element set. Below is a chart containing the proposed data elements pertaining to all divisions of court, a description of the element, and the reporting requirement(s) each element will satisfy. The twelve elements collected in the Foreclosure Initiative are listed first, and the five new elements are shaded in gray.

Table 1: Uniform Case Reporting Initial Informational Elements

Data Element	Description	Reporting Requirement(s) Satisfied:
<b>Report Date</b>	Effective date of the information contained in the case record.	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>Uniform Case Number (UCN)</b>	Standard UCN as required by Fla. R. Jud. Admin. 2.245(b).	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>Date Case Initiated/Reopened</b>	The document stamp state (physical or electronic) that the case is brought before the court either through a filing event or reopen event.	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>SRS Case Type</b>	Six-digit Case Type as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>Divisional Assignment</b>	Division within the local jurisdiction to which the case is assigned.	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>Judge Assigned</b>	Name of judge or team assigned primary responsibility for the case as of the Report Date.	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>Judicial Officer Referred</b> (if applicable)	Name of the judicial officer (magistrate or designee) assigned primary responsibility for the case under the oversight of the Judge Assigned as of the Report Date.	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>

Table 1: Uniform Case Reporting Initial Informational Elements

Data Element	Description	Reporting Requirement(s) Satisfied:
<b>Case Status</b>	Status of the case as of the Report Date. Valid values are “ACTIVE”, “INACTIVE”, “CLOSED”, “REOPEN ACTIVE”, “REOPEN INACTIVE”, and “RECLOSED”.	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>Closure Date</b>	Date the case was closed for court action because of a disposition event or reclosed for court action because of a reclosure event.	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>SRS Disposition Category</b>	Six-digit Disposition Category as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Case aging statistics as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.225(a)(2)</li> </ul> Pending caseload report as required by: <ul style="list-style-type: none"> <li>• Fla. R. Jud. Admin. 2.250(b)</li> </ul>
<b>Reason for Status Change</b>	Numerical code to categorize the reason a case changed from Active to Inactive status or from Inactive back to Active status as of the Report Date.	Inactive Status Analysis as required by: <ul style="list-style-type: none"> <li>• AOSC13-28 Final Report and Recommendations of the Foreclosure Initiative Workgroup</li> <li>• AOSC13-51 Case Status Reporting Requirements</li> <li>• FY2013-14 Foreclosure Initiative Data Collection Plan</li> </ul>
<b>Description of Status Change</b>	A free text description of the Reason for Status Change when a code signifying “other” is used.	Inactive Status Analysis as required by: <ul style="list-style-type: none"> <li>• AOSC13-28 Final Report and Recommendations of the Foreclosure Initiative Workgroup</li> <li>• AOSC13-51 Case Status Reporting Requirements</li> <li>• FY2013-14 Foreclosure Initiative Data Collection Plan</li> </ul>

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Data Element	Description	Reporting Requirement(s) Satisfied:
<b>Complex Civil Litigation</b>	A flag to denote whether the case has been designated as Complex Civil Litigation per Fla. R. Civ. P. 1.201.	Complex Civil Litigation reporting as required by: <ul style="list-style-type: none"> <li>• Fla. R. Civ. P. 1.201</li> </ul>
<b>SRS Case Type at Disposition</b>	Six-digit Case Type as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Computing SRS as required by: <ul style="list-style-type: none"> <li>• Section 25.075, F.S.</li> <li>• Fla. R. Jud. Admin. 2.245</li> </ul>
<b>Reopen SRS Case Type</b>	Six-digit Case Type as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Computing SRS as required by: <ul style="list-style-type: none"> <li>• Section 25.075, F.S.</li> <li>• Fla. R. Jud. Admin. 2.245</li> </ul>
<b>Reclosure SRS Case Type</b>	Six-digit Case Type as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Computing SRS as required by: <ul style="list-style-type: none"> <li>• Section 25.075, F.S.</li> <li>• Fla. R. Jud. Admin. 2.245</li> </ul>
<b>Reclosure SRS Disposition Category</b>	Six-digit Disposition Category as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Computing SRS as required by: <ul style="list-style-type: none"> <li>• Section 25.075, F.S.</li> <li>• Fla. R. Jud. Admin. 2.245</li> </ul>

**Reporting requirements satisfied by these elements**

The five new elements and twelve currently reported elements proposed for this data collection project will satisfy and standardize several existing reporting requirements. The court system is presently unable to calculate the case aging statistics for the associated performance measures required by Fla. R. Jud. Admin. 2.225(a)(2) from the data reported by the clerks of court. In its FY2012-2014 term, this committee evaluated the minimum data elements and frequency of reporting necessary to calculate these statistics. The committee is basing its current recommendation on both this evaluation and the subsequent FY2013-15 Foreclosure Initiative, which included the same performance measures and case age calculations.

The pending caseload report required by Fla. R. Jud. Admin. 2.250(b) is submitted quarterly by the clerks of court, in what is understood to be a manual, labor-intensive process for most. These reports are not submitted to the Office of the State Courts Administrator (OSCA) in a format or timeframe that provides much value to the courts. The transmission of case activity records should supplant the former quarterly reporting processes, relieving the clerks of court of this workload requirement, significantly reducing the time in which statistics are ready for use by the court, and increasing the accuracy of this dataset.

Complex Civil Litigation reporting as required by Fla. R. Civ. P. 1.201 is submitted on spreadsheets to the OSCA on a quarterly basis. Inclusion of this single data element will eliminate an entire reporting process that is presently separate from all other reporting to the state. The transmission of case activity records should supplant the former quarterly reporting processes, relieving the clerks of court of this workload requirement, significantly reducing the time in which statistics are ready for use by the court, and increasing the accuracy of this dataset.

For the past 39 years, clerks of court submit monthly summary counts of case filings and dispositions to the Summary Reporting System (SRS), required by Fla. R. Jud. Admin. 2.245, which is part of the Uniform Case Reporting System required by Section 25.075, Florida Statutes. Collection of the elements to satisfy the aforementioned reporting requirements will provide most of the information needed to simultaneously calculate several of the SRS statistics. The inclusion of four more data elements in these case records will allow the OSCA to calculate all of the SRS statistics. Over time, the transmission of case-level records should supplant the former monthly reporting and associated amendment processes, relieving the clerks of court of this workload requirement, significantly reducing the time in which statistics are ready for use by the court, and increasing the accuracy of this extremely dynamic dataset.

The CSWC is cognizant of the importance of maintaining existing data collection programs during the transition to UCR Proposal reporting. The CSWC supports the assertion in AOSC09-30, Section 6, “It should be noted that the existing reporting mechanisms that this data collection proposal is intended to absorb cannot and should not be abandoned prematurely. Every effort should be made to consolidate data collection and reporting mechanisms during the development process, clerks of court, circuit court administration and other reporting entities should expect to continue data collection and reporting under the appropriate guidelines until directed otherwise by the courts” and believes it should be followed in this project.

### **Transmission and format of data**

As discussed in AOSC09-30, the streamlining of the numerous and varied reporting mechanisms should be pursued whenever possible. Collection of these seventeen data elements for case-level data within all divisions of court will replace an assortment of paper forms depicting summary counts that must be hand-keyed into a database by OSCA staff, electronic spreadsheets, and pdf reports containing lists of cases serving a singular purpose. Much of this variability in reporting arises from the many different case maintenance system in use by clerks of court and from the independent character of each of these reporting requirements. The TIMS project asserted that these system differences were basic to the effective operation of the courts in each jurisdiction while allowing that a certain degree of standardization is necessary. In light of these differences, the CSWC recommends that the UCR Project data collection plan adopt the most effective data format and transmission schedule sufficient to report and maintain the seventeen elements in this proposal consistent with the JDMS Framework. It is further recommended that the OSCA update this data collection plan to comport, as appropriate, with the Data Exchange Standards currently being developed by the Florida Court Technology Commissions Data Exchange Workgroup as that standard is finalized.

## **Frequency of data transmission**

The case event data included in the UCR project should be transmitted to the state level on a daily basis at a minimum. With an eye to the future evolution of court data management, it is important to keep in mind that the ideal transmission of case event data is at the moment when change occurs as this results in the most accurate and reliable data generated as close to the source and at the lowest level possible. This principle, referred to as event-push, is axiomatic within data management and underlies most mobile and web based applications. Both the JDMS framework and the Data Exchange standards propose capability for this sort of immediate transfer. However, the CSWC recognizes the difficulty within current field data management systems in providing this level of granularity to the state level. The UCR Data Collection Specification should accommodate this reality with the understanding that over the next three years, clerk and other case data source systems should evolve to provide UCR data as it changes.

Previous research by this committee on the reporting of case age statistics determined that daily submission represented a reasonable balance between the courts need for up-to-date information and the effort required to provide that information. The FY2013-2015 Foreclosure Initiative demonstrated that this time frame is achievable by most clerks of court. Staff to this initiative also noted significant improvements to data quality among those counties submitting daily.

## **Order/Rule establishing new reporting requirements**

Similar to the process followed by the supreme court for the FY2013-2015 Foreclosure Initiative, the CSWC recommends that the supreme court issue an administrative order adopting a data collection plan detailing a timely and achievable implementation schedule for this data collection proposal to include transmission format, transmission frequencies and quality/correction mechanisms. The OSCA should be charged with compiling this plan and for its subsequent administration and update as required. The initial plan should be forwarded to TCP&A via CSWC for approval and subsequent submission to the supreme court along with a proposed administrative order.

Once the UCR Project is underway, the associated rules of court as identified in Table 1 should be evaluated and amended as appropriate to reflect the new data collection methodology. A proposed order and an analysis of rule changes will be provided with the October report.

## **Implementation Schedule**

As noted previously the committee is sensitive to the potential impact of additional data collection on the clerks of court, court administration staff and OSCA staff. A headlong rush to obtain case event data, however valuable, would quickly overwhelm available staff resources resulting in an inefficient collection process, poor quality data and a frustrating user experience for all concerned. The following implementation schedule is provided to balance the need for court case event data while ensuring that staff and other resources are available to handle this reporting requirement. The CSWC expects that advances in technology and case management refresh cycles may offer opportunities to advance this data collection more quickly than proposed. The CSWC recommends that the OSCA and reporting entities look for specific

opportunities to advance this process and that the Time Frame column be interpreted to mean “as soon as possible but no later than”

<b>Division</b>	<b>Time Frame</b>	<b>Counties</b>	<b>Comments</b>
Circuit Civil	Jan 2016 – Jun 2016	10 volunteer	Clerks of court have been reporting data on mortgage foreclosure cases since July 2013. These are a subset of circuit civil cases.
	Jul 2016 – Jun 2017	Remaining 57 counties in groups of 20	
Family (including juvenile)	Jul 2017 – Jul 2018	67 counties in groups of 20	
Probate & County Civil	Jul 2018 – Jun 2019	67 counties in groups of 20	
Circuit Criminal & County Criminal	Jul 2019 – Jun 2020	67 counties in groups of 20	The majority of counties report criminal data electronically via the OBTS system. However, this data collection vehicle does not include some of the elements captured in this UCR proposal.
Involuntary Civil Commitment of Sexually Violent Predators	TBD	TBD	The cases are not covered under the current UCR project plan. Additional research is needed to determine how these cases can best be reported.

## Quality

The TCP&A Performance Management Workgroup has emphasized that data quality is of fundamental importance to the value of the information collected. AOSC09-30 defines quality as one of the four essential concepts for a uniform case management system. The court system at all levels should work constantly to improve quality as a consequence of the process by which data is generated and not an effect imposed after the data is collected. Consistent with AOSC09-30, the CSWC recommends that the UCR Project Data Collection Plan include intrinsic design elements to enhance the quality of data captured.

For example, increasing the frequency of transmission to at least daily will improve quality by providing reports closer in time to the actual event. This will also enable more opportunity for timely correction of data. Setting the condition that a change record should be generated whenever one of the elements in a dataset should change provides similar benefits. While this results in larger data files being exchanged between partners, it ensures that the daily transmission of data contains all of the relevant case activity events leading to more accurate and timely case activity data. The number of data elements is another example of quality design. The small number of elements in this reporting requirement makes it easier to generate the data record when any of the data elements change.

In addition, the CSWC recommends that the OSCA implement a specific auditing process to validate the data collected in this proposal. However, the CSWC also recognizes that auditing data after receipt at the state level is the least effective mechanism for quality improvement and encourages those entities closest to the data record, clerks of court and circuit court staff, to implement more efficient system level quality and auditing capabilities within their case maintenance and case application processing systems.

### **Long Term Roadmap**

The Uniform Case Reporting Project Preliminary Proposal aims to answer the charge of the Supreme Court by doing three things:

- Advance a standard, repeatable process for satisfying court data needs;
- Identify a targeted and manageable set of activity measures and data elements with a defined value for the courts; and
- Incorporate data quality and process improvement as structural components of our court operations.

The CSWC readily acknowledges that the court system will need to develop additional activity measures and process improvement programs that will require more enhanced data collection and reporting. This work has already begun. For example, at its April meeting, the TCP&A Performance Management Workgroup identified several elements as candidates for future consideration such as number of hearings, monetary assessments, uniform docket codes and flags to denote pro se parties, specialty courts and incomplete service.

The CSWC recommends that the TCP&A Performance Management Workgroup continue its work in identifying performance and process measures, using the Trial Court Data Model as a guide for its deliberations, and that the workgroup builds on the experience of this data collection project to advance another set of requirements following this one. In this way, the UCR project proposal can serve as a template for similar projects in the future.

### **Next Steps**

In keeping with the idea that court data management should be advanced through a series of short, targeted projects, the CSWC suggests the following next steps for consideration after the final report to the supreme court in October 2015:

1. A comprehensive rule review to consolidate the various reporting requirements satisfied by the UCR Proposal.
2. A complete evaluation of the Trial Court Data Model to identify the next set of elements to be implemented. In keeping with the principle of small, targeted and measurable change, this set should contain a relatively small number of elements chosen for the specific organizational and management value they provide.
3. Identification of data sources and supporting infrastructure necessary to collect the proposed data elements.