

## **AGENDA**

### **12:00pm Meeting Convenes**

#### **Item I. Opening Remarks and Introductions**

The Honorable Paul Alessandroni, Chair

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

A. Minutes of 02/11/2015 meeting

#### **Item III. JMC Recommendation #1 (TCP&A Referral)**

- A. Judicial Management Council (JMC) Performance Workgroup Recommendations
- B. Preliminary Proposal

#### **Item IV. Judicial Workload Study**

A. Project Update

#### **Item V. Issues of Interest**

- A. Judicial Data Management Services (JDMS)
- B. FY2013-2015 Foreclosure Initiative
- C. Incorporating Case-Event Definitional Framework (AOSC14-20) into SRS Reporting
- D. Evaluation of SRS counting methodology for Juvenile Dependency cases

#### **Item VI. Next Meeting**

A. September or October of 2015

### **01:30pm Meeting Adjourns**

**Call in is available for interested parties:**

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## **FY 2014-16 Term Membership List**

### **Chair:**

**The Honorable Paul Alessandroni**  
County Judge, Charlotte County

### **Members:**

**Mr. Fred Buhl**  
Director/Court Technology Officer, Eighth Judicial Circuit

**The Honorable G. Keith Cary**  
Circuit Judge, Twentieth Judicial Circuit

**Ms. Holly Elomina**  
Trial Court Administrator, Sixteenth Judicial Circuit

**The Honorable David H. Foxman**  
County Court Judge, Volusia County Court

**The Honorable Ilona M. Holmes**  
Circuit Court Judge, Seventeenth Judicial Circuit

**The Honorable Shelley J. Kravitz**  
County Court Judge, Miami-Dade County

**The Honorable Ellen S. Masters**  
Circuit Court Judge, Tenth Judicial Circuit

**The Honorable Paula S. O'Neil, Ph.D.**  
Clerk of Circuit Court & County Comptroller, Pasco County

**Ms. Kathleen R. Pugh**  
Trial Court Administrator, Seventeenth Judicial Circuit

**The Honorable Sharon Robertson**  
Clerk of Court, Okeechobee County

**Mr. Philip G. Schlissel**  
Administrative General Magistrate, Seventeenth Judicial Circuit

**Mr. Grant Slayden**  
Trial Court Administrator, Second Judicial Circuit

**The Honorable Scott Stephens**  
Circuit Judge, Thirteenth Judicial Circuit

**The Honorable William F. Stone**  
Circuit Judge, First Judicial Circuit

**Item I. Opening Remarks**

**I.A. Opening Remarks**

The Honorable Paul Alessandroni, Chair

## **Item II. Committee Housekeeping**

### **II.A. Minutes of 2/11/2015 Meeting**

**Minutes  
Court Statistics & Workload Committee Meeting  
February 11, 2015  
Orlando, FL**

**The Honorable Paul Alessandroni, Chair**

#### **9:00 am Meeting convened**

Thirteen of the fifteen members were in attendance:

The Honorable Paul Alessandroni, The Honorable G. Keith Cary,  
The Honorable David H. Foxman, The Honorable Shelley J. Kravitz,  
The Honorable Ellen S. Masters, The Honorable William F. Stone,  
The Honorable Paula S. O'Neil, Ph.D., The Honorable Sharon Robertson,  
Mr. Fred Buhl, Ms. Holly Elomina, Ms. Kathleen R. Pugh,  
Mr. Philip G. Schlissel, & Mr. Grant Slayden

Members absent:

The Honorable Ilona M. Holmes & The Honorable Scott Stephens

OSCA Staff in attendance:

Greg Youchock, P.J. Stockdale, Shelley Kaus, Penni Griffith, Arlene  
Johnson, & Jason Hunter

### **Item I. Opening Remarks and Introductions**

- A. The chair welcomed everyone to the first in-person meeting of the FY2014-16 term of the Court Statistics and Workload Committee.
- B. Each committee member and staff member introduced himself/herself.

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

- A. Minutes from 10/15/2014 Meeting
  1. Members voted (unanimously) to approve the minutes from the previous meeting, which was a phone conference held on 10/15/2014.
- B. Travel Reimbursement Instructions
  1. Staff discussed the travel reimbursement process and provided the necessary forms to members.

### **Item III. Issues of Interest**

- A. Uniform Data Reporting – Court Interpreter Hourly Report (Closeout)
  - 1. Staff updated the committee on the progress of this project:

TCP&A wrapped up its a pilot program on the use of Shared Remote Interpreting Resources in January 2015. Transactional reporting of these event has ended. Court Interpreter events and hours will return to summary reporting via the UDR web-based data entry application beginning with the February 2015 reporting period.
  - 2. The amended Court Interpreter events and hours data entry form was provided to members. Staff reported that this modified form has been submitted to the OSCA IT Governance Board for inclusion into the OSCA project planning cycle, and that staff will monitor this implementation.
  - 3. Members with involvement in this pilot project spoke favorably about it.
  - 4. Staff advised that this completes the implementation of court interpreting hour reporting as required by AOSC11-45.
- B. Plan to incorporate Case-Event Definitional Framework (AOSC14-20) into SRS Reporting
  - 1. As directed by this committee, staff has evaluated the Summary Reporting System (SRS) to see what approach would be most beneficial in implementing the case-event definitions into SRS. During evaluation, staff has determined that it is appropriate to implement the Case-Event Definitional Framework into SRS reporting.
  - 2. Although the review is not yet complete, staff presented to the committee members three categories each type of change necessary to incorporate the definitional framework falls into, based on the potential impact on SRS reporting.
  - 3. A discussion of the impact of Minor, Medium, and Major changes and their impact to the SRS took place.
    - a. Concerns about not proceeding with a significant change to the Juvenile Dependency reporting were deliberated. Further research into counting per child vs. per case for SRS purposes is needed.
    - b. Clerks of Court requested that if any changes are made, ample time be given to implement system changes with the various vendors.
  - 4. Committee agreed about proceeding with implementation of the minor and medium changes, but would like to see an analysis of the specific impacts of each major change to the SRS.

5. Staff advised that OSCA's Statistics & Evaluation Unit is in the planning stage of an SRS manual revision to begin in the upcoming months. Staff will continue to monitor any progress in the expansion of transactional reporting, as some major issues may be resolved as a product of this shift in reporting.

C. FY 2013-15 Foreclosure Initiative

1. Staff updated members on the latest progress to the timeliness, completeness, and accuracy of the data being reported to the initiative. Efforts by the Clerks of Court and OSCA staff to achieve more reliable data were discussed, and the successes achieved were presented.
2. Staff reported on the advancements to the data quality due to use of the event-push model, which was a recommendation from the TIMS report and Trial Court Data Model and was validated during this committee's work on case age statistics in 2012.

D. Judicial Data Management Services (JDMS)

1. Since the last meeting, this project has advanced forward. The draft project plan, which has been submitted to the Legislature as part of the FY 2015-2016 Legislative Budget Request (LBR) package, was provided to members.
2. Staff presented the history of this project and gave an overview of project plan's three goals for the FY 2015-2017 cycle.
3. Staff discussed Goal 2 in detail, showing the current data elements collected in the Foreclosure Initiative, how they could be expanded to all case types in fulfillment of Fla. R. Jud. Admin. 2.225(a)(2), and how collecting a few additional elements could satisfy several different reporting requirements. Doing so would eliminate the need for clerks of court to submit several separate reports in fulfillment of each requirement, and provide the court the ability to calculate its own summary statistics.

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

1. Staff advised they are currently monitoring several related projects that all included the performance measures required by this rule: TCP&A's High Performing Courts, the Judicial Management Council Performance Workgroup and the OSCA's Judicial Data Management Services.

## **Item IV. Judicial Workload Study**

A. Project Summary and Update

1. Staff provided an overview of this study, tasked to the Office of the State Courts Administrator (OSCA) by the supreme court of Florida. The

purpose of this study is to update the trial court judicial case weights used to evaluate judicial workload.

2. The major methodological steps in this study were provided, including the timeframe for completion. The first major step, convening a forty-member Judicial Needs Assessment Committee (JNAC), was scheduled for the two days following this meeting, February 12-13, 2015. Several judges on the Court Statistics & Workload Committee are members of the JNAC, including Judge Paul Alessandroni, who is serving as the lead judicial officer in the JNAC.
3. Staff presented the elements of the Judicial Weighted Workload Model.
4. It was noted that having every circuit represented in this study is important, so that the court system can have one unified voice to the Legislature.

### **Item V. Next Meeting**

1. Staff will check with the Chair as to some available dates for a May or June phone conference.
2. Members were alerted to look out for future emails requesting their availability on proposed meeting dates.

### **2:26 pm Meeting Adjourned**

### **Decision Needed:**

1. Adopt the meeting minutes from 2/11/2015.

### **Item III. JMC Recommendation #1 (TCP&A Referral)**

#### **III.A. Judicial Management Council (JMC) Performance Workgroup Recommendations**

The Judicial Management Council (JMC) approved the recommendations of its Performance Workgroup on February 27, 2015. These recommendations are included as Enclosure 1. Of particular concern to this committee are Recommendations 1 and 4.

On April 1, 2015, the supreme court addressed these recommendations. In response to Recommendation 4, the court issued AOSC15-9, In Re: Continued Case Reporting Requirements for Real Property Mortgage Foreclosure Cases. This is discussed in detail in Item V.B. Also on April 1, the supreme court charged the Commission on Trial Court Performance and Accountability (TCP&A) with developing a response to Recommendation 1.

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 letter from the supreme court to Judge Diane Moreland, chair of the Commission on Trial Court Performance and Accountability, is included as Enclosure 2. The 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's Workgroup on Performance Management referred the matter to the Court Statistics and Workload Committee for further development. Comments to the CSWC from the workgroup are included as Enclosure 3.

#### **IIIB. Preliminary Proposal**

In response to this referral, committee staff has prepared the enclosed proposal, titled Uniform Case Reporting Project (Enclosure 4). This is intended to fulfill the initial proposal due June 30, 2015. Staff has identified the other areas that should be developed before the final assessment due October 1, as well as future areas recommended for review prior to any expansion of uniform case reporting.

Highlights of the enclosed proposal are listed below. The chief recommendations are:

- All new data collection efforts, including the Uniform Case Reporting (UCR) Proposal, be developed in accordance with the JDMS framework and principles.
- Data elements and performance measures considered for this proposal should be developed from the Trial Court Data Model (TCDM) approved as part of the 2010-2012 Trial Court Integrated Management Solutions (TIMS) project.
- 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 management needs.
- The supreme court charge OSCA with development and execution of the UCR Project data collection plan and delegate execution and management operations to the OSCA under Fl. R. Jud. Admin 2.245(a).
- The current twelve-element data collection effort presently part of the Foreclosure Initiative reporting requirements be expanded to encompass all divisions of court.
- An additional five data elements should be added to the twelve elements currently collected for a total of seventeen elements.
- Additional elements proposed as candidates for collection by the TCP&A Performance Management Workgroup should be evaluated for inclusion in the Trial Court Data Model (TCDM) as appropriate.
- The UCR Proposal 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 architecture.
- 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.
- State-level case activity data in this proposal should be submitted from the clerks of court to the OSCA on a daily basis, at a minimum.
- 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 UCR Project Data Collection Plan include intrinsic design elements to enhance the quality of data captured.
- The OSCA implements a specific auditing process to validate the data collected in this proposal.

**Decision Needed:**

1. Approve the enclosed preliminary data collection proposal (Encl 04), referred to as the Uniform Case Reporting Project.
2. Recommend that the Commission on Trial Court Performance and Accountability adopt this proposal as the initial response to Recommendation 1 of the Judicial Management Council's Performance Workgroup.

**Enclosure 1**

**Judicial Management Council's Performance Workgroup  
Recommendations**

# Judicial Management Council Performance Workgroup Recommendations

February 16, 2015

Workgroup Members

Judge Robert Morris, Chair  
Judge S. Scott Stephens  
Judge Margaret Steinbeck  
Frances Berry, Ph.D.

## Background

As with any large organization, the courts require timely access to reliable information in order to function well. The management of Florida's over four million cases filed annually and the administration of resources to manage those cases is an extremely complex process. To meet that challenge, the branch must continue improvements in the administration of justice, including effective case management policies and the efficient management of resources. In 2009, the Task Force on Judicial Branch Planning recognized the need to focus on improving the administration of justice. As a result, several strategies were incorporated in the Long-Range Strategic Plan for the Florida Judicial Branch 2009-2015 to address that long-range issue:

- Develop the capacity of the State Courts System to timely monitor key caseload and workload information at the circuit, appellate, and statewide levels.
- Institute policies to build a comprehensive uniform statewide case management information system that integrates the case maintenance systems of the clerks of the circuit courts.
- Expand and integrate information technology systems statewide that support best practices within the courts, including resource management and performance measurement systems.

Since 2009, the need for timely reliable data, access to decision-ready information, and the ability to track progress against goals continues to grow. During the first meeting of the reconstituted Judicial Management Council (JMC) in January 2013, members of the council and staff acknowledged the need for valid and reliable data as a critical area of concern for the judiciary in the coming years. In March 2013, Chief Justice Polston formed the Performance Workgroup of the JMC to address the second charge in Rule 2.225 of the Rules of Judicial Administration, which includes identifying and evaluating information to assist in improving the performance and effectiveness of the judicial branch (for example, information including, but not limited to, internal operations for cash flow and budget performance, and statistical information by court and type of cases for (i) number of cases filed, (ii) aged inventory of cases, (iii) time to disposition, and (iv) clearance rates). This report offers recommendations to address elements of that charge.

## Current State

Pursuant to Section 25.075, Florida Statutes, the supreme court developed a uniform case reporting system known as the Summary Reporting System or SRS. The SRS provides the Office of the State Courts Administrator with data which assists the supreme court in its management and oversight role. While the SRS is used as a workload measure for judges, it is not intended to measure the efficiency of the judiciary. The primary purpose of SRS is the certification of need for additional judgeships to the Florida Legislature. In addition to certification, SRS data is used to formulate budgets, allocate resources, prepare legislative fiscal notes, assess the impact of proposed legislation or court rules, and act as an information resource for courts, criminal justice agencies, the news media and general public. SRS being the primary aggregate information system for the courts, the branch has traditionally relied on its summary data to peripherally gauge performance. Limited performance

assessments have occurred through clearance rate review and number of cases disposed as part of required Long Range Program Plan reporting.

Currently the court system relies primarily on filing data and to some limited extent disposition data reported through SRS to inform its decision-making process. There are certain strengths and weaknesses within this data set. Filings are audited to ensure a valid and reliable data set. Filings are also audited as the judicial case weights used in the certification process are tied to the filings. The SRS has been in existence and use since the 1970s, and the recording of filings and dispositions has become a routine course of business with associated processes. However, there are also limitations within SRS. The current system architecture constrains the way in which data may be obtained and limits the type of information that can be produced from the data, thereby minimizing opportunities available to the courts to use the data for analysis and improvement. The current SRS does not have the capability to render time to disposition, age of pending cases, and other efficiency and effectiveness indicators.

Over the last several years, case management systems have been developed and modified locally throughout the state to address case processing and to a lesser extent resource management needs (referred to as the Court Application Processing System, or CAPS). This development has occurred without a statewide strategic technology roadmap for the trial courts or an adequate funding structure in place for technology. Counties, not the State of Florida, have historically held the primary responsibility for providing technology for the trial courts. Frequently, case maintenance systems are purchased and implemented with little consideration for compatibility issues which exacerbates the problem. Thus, unilateral decisions and no strategic technology roadmap coupled with years of fragmented and disjointed system developments have resulted in incompatible systems and inconsistent data collection at many levels of court administration. This incongruent information system architecture and disparate data sets make it difficult to make management decisions at the statewide level for the enhancement of the branch. Additionally, system constraints and data limitations hamper the ability to identify improvements needed at the local level. The branch is limited to decisions based on summary data and does not have ready access to detail data to help determine efficiency and effectiveness.

Supreme Court Committees and OSCA have recently embarked on several data initiatives to help enhance the current state of data analysis. The Trial Court Integrated Management Solution project sought to identify key case and workload data and establish uniform definitions for improving automation of Florida's trial courts. Building from the success and foundational work of that December 2012 initiative, OSCA moved to define a court case management system optimized to assist judges and case managers in the electronic processing and maintenance of cases, through the Integrated Trial Court Adjudicatory System. A subset of the Integrated Trial Court Adjudicatory System, and critical component, is the envisioned Judicial Data Management Services. This portion of the system is currently only a funding request and is being considered with the specific purpose of integrating case data contained within the local CAPS into a cohesive state-wide system of court activity. Judicial Data Management Services are intended to serve as both a static repository for historical court activity data and a dynamic warehouse for active court management and operations analysis. Judicial Data Management Services provide a data management strategy specifically designed to support 1) an enhanced adjudication process; 2) a more efficient use of court resources; and, 3) a more effective justification of court activity through the use, collection, and management of essential data.

## Workgroup Efforts and Findings

As the Performance Workgroup began to investigate challenges surrounding performance measurement within the judicial branch, it reviewed current performance trends. The Workgroup encountered great difficulty in gathering information beyond filings and dispositions due to the challenges articulated above. While the Workgroup investigated trends, the recommendations listed later in the report revolve around the need to ensure valid data and move from summary to detail reporting.

*Filing Trends* - The Workgroup formally began its efforts in May 2013 and initiated a thorough review of filing and disposition trends. The review consisted of examining twelve years of filing data organized by case type. Significant findings include: that from fiscal year 2008-09 to fiscal year 2012-13, overall trial court filings decreased from nearly 4.6 million to 3.9 million, a 14.7 percent decrease. In circuit criminal, circuit civil (excluding contracts), circuit family, and circuit probate, filings had a tendency to display a recent “peak” in fiscal year 2007-08 and display a slight decline in subsequent years. County criminal showed a similar pattern. The number of average pending cases per month at the District Courts of Appeal has continued to slightly increase year over year from fiscal year 2007-08 while the number of filings has remained fairly consistent in each case category. Mandatory reviews by the supreme court have declined from 2008 to 2012, while discretionary reviews during the same period increased. Filings are an important measure of court workload. Continual monitoring of filings is essential and serves as an important indicator for resource needs. (See Appendix A for detail.)

*Causation Factors for Filing Trends* - After reviewing detailed filing trends by case type and level of court, the Workgroup began a review of factors contributing to trial court filing declines. A research report was prepared which included a literature review, examination of associated state and national statistics, and an assessment/impact statement. Among the more significant possible contributors to filing declines noted were an aging population, enhanced policing practices and security measures, and evidence-based juvenile and drug diversion programs. Florida’s drop in case filings mirrored trends seen nationally. The research report attempted to provide a clearer state and national perspective as it relates to factors influencing filings. These factors were largely corollary as many of these trends are impacted by a confluence of factors. Additionally, the Workgroup theorizes that an economically fragile middle class, coupled with increased costs of litigation, including recent sharp filing fee increases, has had a significant and adverse effect on court filings. This filing decline may be an indicator of a larger access to justice dilemma faced by a very large and growing number of Floridians. (See Appendix B for detail.)

*Time to Disposition* - To create a more complete picture surrounding filing and disposition trends and further address an element of the charge, the Workgroup turned its attention to available time to disposition data. Because it does not have the information itself, the OSCA requested time to disposition information for cases disposed in the last five fiscal years from the Florida Court Clerks and Comptrollers. The effort was significant as it represented the first time this type and amount of data was formally requested, supplied, and reviewed on this scale. OSCA staff had to review the information supplied by the clerks to ensure the appropriate categorization of data. Following this intensive review, there were still large segments of data that had to be excluded due to lack of a definitive category for reporting purposes. Even with a large swath of data excluded, for 28 of the 33 SRS case types there is a 99 percent level of confidence, with a +/- 3 percent margin of error. However, it should be noted that

these findings are preliminary and time to disposition information is not audited for accuracy. Following the assimilation and validation of pertinent data, the Workgroup reviewed the time to disposition data by case type. Significant findings include:

- Circuit criminal time to disposition is largely stable to slightly increasing,
- Circuit family time to disposition is largely stable or slightly decreasing,
- Circuit civil time to disposition is largely decreasing,
- Circuit probate time to disposition is largely decreasing,
- County criminal time to disposition is largely variable, and
- County civil time to disposition is largely decreasing.

(See Appendix C1 and Appendix C2 for detail.)

Branch-wide feedback across many work groups is that Florida's courts are working harder than ever; filings are decreasing while time to disposition is also decreasing. Qualitative information received from experienced and knowledgeable court specialists is that cases are penetrating farther into the judicial system and requiring more judicial involvement or "touches" to conclude a case. It is suspected that growing sophistication with creative, but labor-intensive case management practices has resulted in the faster movement of cases but with greater strain on limited judicial resources. Additionally, with the rapidly growing availability of legal resources on the internet, the Workgroup speculates that pro se litigants have and will continue to appear in court with substantially increasing frequency. These litigants often require considerably more judicial time to process their cases adding to the judicial workload. However, none of these assertions can be substantiated with the current performance data available.

Aggregated data no longer satisfies the current business needs of the courts and does little to inform court leaders about efficiency and effectiveness or to facilitate analysis of cause and effect. The Workgroup has come to consensus that there is a need to address fundamental performance measurement issues within the Florida judicial branch around the following principles:

1. Valid and reliable data – Valid and reliable data is needed to better understand, anticipate, and shape preferable outcomes for the courts.
2. Performance Levels – Performance levels permit evaluation relative to past performance, projections, goals, and appropriate comparisons. The term "levels" refers to numerical information that places or positions an organization's results and performance on a meaningful measurement scale. Defined levels of performance are needed to provide a meaningful scale in which to understand and measure progress in meeting established goals.
3. Trends – The term "trends" refers to numerical information that shows the direction and rate of change for an organization's results or the consistency of its performance over time. The capability to anticipate, read, and react to trends will further enhance branch responsiveness.
4. Comparisons - The ability to compare data across jurisdictions will enable the identification of evidence-based practices and encourage the sharing of those across the state.

5. Integration – Integration promotes consistency of plans, processes, information, resource decisions, results, and analysis to support branch-wide goals. It requires the use of complementary measures and information for planning, tracking, analysis, and improvement. Integrating performance data into decision making harmonizes plans, processes, information, resource allocation, and results.

The courts must continue to enhance responsiveness, accountability, and efficiency through the responsible use of data.

#### Data Use Success Example - Foreclosure Focus

The Foreclosure Backlog Reduction Plan has been successful, in part, due to the focus and availability of detail level performance information. In 2013, the Foreclosure Initiative Workgroup determined that foreclosure cases should be brought into compliance with state time standards, clearance rates needed to be improved, and the due process rights of the litigants must be protected while maintaining the integrity of the process. To complement recommended budgetary and process improvement solutions, the Foreclosure Initiative Workgroup recommended the use of three nationally recognized performance indicators. The Foreclosure Workgroup recommended a supreme court administrative order to direct clerks of court to identify foreclosure cases by SRS categories and collect the data necessary to report: time from filing until disposition; age of pending cases; and clearance rates. Further, the status of pending foreclosure cases was requested to be identified as either active or inactive.

The FY 2013-14 Foreclosure Initiative report recognized that judges, judicial officers, case managers and other support staff need appropriate tools to help them manage the dynamic and complex caseload. One essential tool was meaningful and accurate real time information that tracked the movement of foreclosure cases through the foreclosure process. The Initiative presented a set of meaningful performance indicators that provides all levels of court with critical information concerning the movement of foreclosure cases through the courts. At the local level, these statistics provide judges and case managers with dashboard style indicators to highlight caseloads that may benefit from additional judicial attention and to efficiently drill down into these indicators to review case specific information. At the circuit level, these indicators, and the underlying data, provide administrative judges and trial court managers with tools to assist with the allocation of resources to meet the Initiative goals. At the state level, these indicators enable state level managers and the supreme court to monitor the Initiative and to develop comparative measures for process improvement across the state.

This detailed performance information, based on valid and reliable data, facilitated the review of performance levels, trends, and comparisons. This available data was also integrated into decision making and helped the branch identify evidence-based practices and accurately track progress. This initiative served as a “proof of concept” that detailed reporting data can better equip the courts to manage cases and identify opportunities for improvement. It also demonstrated the effectiveness of the court data management principles identified in the Trial Court Integrated Management Solution project and laid the foundation for daily transmission of data from clerks of court to the OSCA. Ultimately, this reliance on performance data helps judges timely address their caseloads, better protect rights and liberties, and enhance the overall quality of justice.

## Recommendations

Through the work efforts described above, the JMC Performance Workgroup identified the following principles at issue and developed recommendations centered on each of the following: 1) valid data, 2) performance levels, 3) trends, 4) comparisons, and 5) integration. The recommendations can be generally characterized as advocating moving from a summary data reporting system to a detailed data reporting system with the concomitant capability to report at a more discreet level.

### *Valid Data*

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.** It is suggested that the clerk collection and reporting requirements include, but not be limited to the following:
  - Data elements – Elements sufficient to support OSCA’s maintenance of case event, inventory, and age statistics, initially including: date of report, uniform case number, date case initiated/reopened, closure and reclosure dates, associated SRS case category, divisional assignment, judge assigned, judicial officer referred, case status, reason for status change, SRS disposition type, and all judicial activity of record. Once a case data record is initially transmitted, it will only be necessary to report changes in the case status variables.
  - Timeliness – As in the transmittal of foreclosure data, it is recommended that the data reported reflect each change in any required data element and be transmitted to the state level no less than daily.
  - Format – Transmission should occur in accordance with supreme court data exchange standards.

The Workgroup suggests that the Commission on Trial Court Performance and Accountability draft and forward the proposed recommendation to the Florida Supreme Court for consideration as soon as practicable. The Workgroup acknowledges that the administration of justice is a dynamic activity and that the indicators tracking that activity are likewise dynamic. Further, the Workgroup recognizes that activity indicators are not limited to case data. Organizational data such as budget or resource allocation also provide vital information for court management. To ensure that these indicators remain relevant and responsive in the long term, it is suggested that the recommendation include language to provide the court system with the flexibility to evolve indicators over time to include the full range of court activity.

2. **The JMC Performance Workgroup recommends the refocus of OSCA audit efforts to address disposition data.** Currently, OSCA conducts compliance audits of SRS filing data. Audits determine compliance with reporting requirements and verify the accuracy and reliability of SRS data submitted to OSCA. During an audit, OSCA staff documents the information in the case files and compares their findings to audit documentation and the SRS report maintained by the county. Audits focus on filing information around

unit of count, type/category, time frame, and general reporting. This ensures that the filing data is in compliance with all reporting requirements and provides for uniform reporting statewide. While audits address filing elements, disposition data does not currently fall into the scope of auditing. Based on the data requested and received from the clerks and the importance of the information, the Workgroup determined considering a shift in audit focus may be appropriate. Auditing disposition data will increase confidence in a time to disposition measure. Time to disposition, used in conjunction with clearance rates, is a fundamental management tool that assesses the length of time it takes a court to process cases.

#### *Performance Levels*

3. **The JMC Performance Workgroup supports the efforts underway to conduct a revised trial court judicial time study and capture an accurate workload model.** The last full trial court judicial time study was completed in 1999 and a subsequent judicial resource survey to update case weights was completed in 2006-07. The judicial environment has changed a great deal in the last 15 years. The National Center for State Courts recommends completing a judicial workload study every five years to adjust to the changing legal environment and associated demands. A comprehensive review and update of Florida's judicial weighted caseload system will reflect recent developments in statutory and case law that impact judicial workload as well as increasing utilization of case management best practices which move cases more efficiently and effectively while protecting due process rights.

#### *Trends*

4. **The JMC Performance Workgroup recommends sustaining foreclosure reporting requirements with future expansion to other case types.** The data collection plan necessary to track and monitor the case activity within the FY2013-14 Foreclosure Initiative was adopted by the supreme court in April 2013. The benefits of sustaining this data collection effort were previously described and place the branch on a continual path of performance monitoring and help to further institutionalize the routine collection of detail data. The expansion will further support this Workgroup's efforts as outlined in Fla. R. Jud. Admin. 2.225(a)(2). This is a more immediate recommendation and would be subsumed by Recommendation 1 once fully implemented by the clerks and the court.

#### *Comparisons*

5. **The JMC Performance Workgroup recommends exploring tools for the visual display of data.** Visualizing data through creative graphics versus static spreadsheets helps identify, interpret, and understand data in ways that are not apparent from looking at statistics alone, possibly uncovering new patterns and observations. This visual display will help connect data to effective action by more easily drawing reliable conclusions about current conditions and future events, creating a more meaningful conversation about court trends. It will enable the branch to make predictions and then proactively act on that insight to drive better outcomes and meet strategic goals.

## Integration

- 6. The JMC Performance Workgroup supports the Judicial Data Management Services legislative budget request.** The essential data the court system needs to improve its processes, manage operations, allocate its resources, and respond to external pressures cannot be provided by the current fragmented case management and summary reporting systems. Court system challenges, both local and at the state level, require an integrated approach to data management which is not reflected in the case management and data delivery systems in use today. The Judicial Data Management Services project can provide the tools and environment to achieve that integration. The management and operational deliverables associated with this request include: improved data integration and standardization services; enhanced reporting services; improved processing services; and creation of a data warehouse and analytical services.

## Impact

Without a comprehensive court data management structure, Florida's court system will continue to move forward with limited useful data to help inform its decision making processes. Disparate tools, manual paper-based processes, spreadsheet budgeting, and legacy systems provide limited visibility into performance. More robust detail information would allow the courts to better monitor case events. Organizational best practices indicate that budgeting, process improvement, and organizational development decisions should be predicated on sound information. Given the comprehensive institutional change within the branch itself, and other workload considerations over the past decade, new case filing data is but one model to reflect the branch's efforts to serve the people of Florida. It is important for the court system to justify its initiatives and properly align its efforts to serve all Floridians. This is best accomplished through valid and reliable data.

The common theme behind this report and its recommendations is moving from a summary reporting system to a detailed reporting system with valid and reliable data. Courts are often characterized as data rich but information poor. While summary data reporting has served the court well over the last 40 years, the need for a more detailed assessment of the branch's performance necessitates the shift to detailed reporting. Detailed performance reporting will contribute significantly to the quality of justice in Florida; specifically, improving adjudicatory outcomes through case management, increasing operational efficiency through efficient use of resources, and supporting organizational priorities through legislative resource and budgetary requests.

# Data Elements Currently Collected and Needed

	Data Element:	Collected for Criminal <sup>1</sup> case types?	Collected for Mortgage Foreclosure case types?	Collected for other <sup>2</sup> case types?:
1	Report Date	Y	Y	Need
2	Uniform Case Number (UCN)	Y	Y	Need
3	Date Case Initiated/ Reopened	Y	Y	Need
4	SRS Case Type	Computed	Y	Need
5	Divisional Assignment	Need	Y	Need
6	Judge Assigned	Y	Y	Need
7	Judicial Officer Referred	Need	Y	Need
8	Case Status	Y	Y	Need
9	Closure Date	Y	Y	Need
10	SRS Disposition Category	Computed	Y	Need
11	Reason for Status Change	Need	Y	Need
12	Description of Status Change	Need	Y	Need
13	Complex Civil Litigation	Need	Need	Need
14	SRS Case Type at Disposition	Computed	Need	Need
15	Reopen SRS Case Type	Computed	Need	Need
16	Reclosure SRS Case Type	Need	Need	Need
17	Reclosure SRS Disposition Category	Need	Need	Need

<sup>1</sup> **Criminal (felony and misdemeanor):** capital murder, non-capital murder, sexual offense, robbery, other crimes against persons, burglary, theft, forgery, fraud, worthless checks (felony), drugs, other felonies, misdemeanors, worthless checks, county ordinance, municipal ordinance.

<sup>2</sup> **All other case types:** simplified dissolution, dissolution, domestic violence, repeat violence (includes dating violence and sexual violence), child support, UIFSA, adoption arising out of Chapter 63, name change, paternity/disestablishment of paternity, other family court, juvenile delinquency, juvenile dependency, termination of parental right, professional malpractice, products liability, auto negligence, condominium, contract and indebtedness, eminent domain, other negligence, real property/mortgage foreclosure, other circuit civil, probate, guardianship, trusts, Baker Act, Substance Abuse Act, other social, small claims (up to \$5,000), civil (\$5,001 to \$15,000), replevins, evictions, other civil (non monetary).

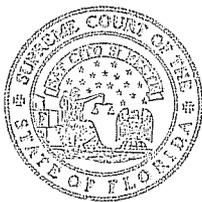
# Current and Proposed Data Elements

	Data Element	Description	Implementation	Reporting Requirement(s) Satisfied:
1	<b>Report Date</b>	Effective date of the information contained in the case record.	Presently in Foreclosure Initiative Data Collection Plan.	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>
2	<b>Uniform Case Number (UCN)</b>	Standard UCN as required by Fla. R. Jud. Admin. 2.245(b).	Presently in Foreclosure Initiative Data Collection Plan.	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>
3	<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.	Presently in Foreclosure Initiative Data Collection Plan.	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>
4	<b>SRS Case Type</b>	Six-digit Case Type as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Presently in Foreclosure Initiative Data Collection Plan.	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>
5	<b>Divisional Assignment</b>	Division within the local jurisdiction to which the case is assigned.	Presently in Foreclosure Initiative Data Collection Plan.	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>
6	<b>Judge Assigned</b>	Name of judge or team assigned primary responsibility for the case as of the Report Date.	Presently in Foreclosure Initiative Data Collection Plan.	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>
7	<b>Judicial Officer Referred (if applicable)</b>	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.	Presently in Foreclosure Initiative Data Collection Plan.	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>
8	<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".	Presently in Foreclosure Initiative Data Collection Plan.	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>

9	<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.	Presently in Foreclosure Initiative Data Collection Plan.	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>
10	<b>SRS Disposition Category</b>	Six-digit Disposition Category as defined by the Summary Reporting System (SRS) Manual (Jan 2002).	Presently in Foreclosure Initiative Data Collection Plan.	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>
11	<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.	Added to Foreclosure Initiative Data Collection Plan with implementation date of 1/31/2015.	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>
12	<b>Description of Status Change</b>	A free text description of the Reason for Status Change when a code signifying "other" is used.	Added to Foreclosure Initiative Data Collection Plan with implementation date of 1/31/2015.	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>
13	<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>
14	<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>
15	<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>
16	<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>
17	<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>

**Enclosure 2**

**Supreme Court letter to the Commission on Trial Court  
Performance & Accountability**



# Supreme Court of Florida

500 South Duval Street  
Tallahassee, Florida 32399-1925

JORGE LABARGA  
CHIEF JUSTICE  
BARBARA J. PARIENTE  
R. FRED LEWIS  
PEGGY A. QUINCE  
CHARLES T. CANADY  
RICKY POLSTON  
JAMES E.C. PERRY  
JUSTICES

JOHN A. TOMASINO  
CLERK OF COURT

SILVESTER DAWSON  
MARSHAL

April 1, 2015

The Honorable Diana Moreland  
Chair, Commission on Trial Court  
Performance and Accountability  
Manatee County Judicial Center  
1051 Manatee Avenue West  
Bradenton, Florida 34206

Dear Judge Moreland:

As you may be aware, the Judicial Management Council (JMC) approved the recommendations of its Performance Workgroup on February 27, 2015. The Supreme Court subsequently reviewed and approved the recommendations as originally submitted. A copy of those recommendations is enclosed for your review.

The JMC Performance Workgroup recommendations specifically involve the actions of the Commission on Trial Court Performance and Accountability (TCP&A) for completion. This referral letter supplements existing Charge One of TCP&A's administrative order, In re: Commission on Trial Court Performance and Accountability, Fla. Admin. Order No. AOSC14-40 (July 2, 2014), which requires the TCP&A 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 Honorable Diana Moreland  
April 1, 2015  
Page 2

Accordingly, the Court asks the Commission on Trial Court Performance and Accountability to specifically address JMC Performance Workgroup Recommendation 1 as follows.

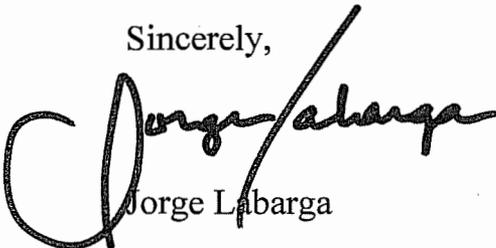
*Recommendation 1 - The JMC Performance Workgroup recommends that the supreme court charge the Commission on Trial Court Performance and Accountability to propose clerk collection and reporting requirements that address: the collection of specific data elements, transmission of that data in a prescribed format, and directs those transmissions to occur in a timely manner to enhance performance reporting.*

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

The JMC Performance Workgroup Recommendation 4 suggests continuing the foreclosure reporting requirements delineated in both In re: Final Report and Recommendations of the Foreclosure Initiative Workgroup, Fla. Admin. Order No. AOSC13-28 (June 21, 2013), and In re: Case Status Reporting Requirements for Real Property Mortgage Foreclosure Cases, Fla. Admin. Order No. AOSC13-51 (Oct. 16, 2013). In developing recommendations, TCP&A should consider continuation of these requirements in its overall assessment.

Please continue to coordinate with the JMC Performance Workgroup as these recommendations are undertaken. I look forward to your assessment.

Sincerely,



Jorge Labarga

JL/ajj  
Enclosure

**Enclosure 3**

**TCP&A's Workgroup on Performance Management's comments to  
the Court Statistics & Workload Committee**

# Commission on Trial Court Performance and Accountability

## Workgroup on Performance Management

### Comments to the Court Statistics and Workload Committee on the Judicial Management Council (JMC) Recommendations

#### JMC Performance Workgroup 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.*

#### Comments to the Court Statistics and Workload Committee (CSWC)

It is recommended that the CSWC follow the current data plan as used in the foreclosure initiative and as approved under [AOSC15-9](#), in consideration of expanding to all case types, and adding the additional elements beyond the 12 currently gathered.

#### *Regarding Data Elements Collected for Judicial Data Management Services (JDMS)*

In the proposal to obtain the 17 elements that will allow the courts to report the three CourTools (Time to Disposition, Age of Active Pending Caseload, and Clearance Rates) it is suggested that the following footnotes be considered regarding the qualification of these measures.

- These basic measures provide a macro view of the courts, not a micro view. In addition, it is important to note the summary performance measures do not offer complete information in comparing circuits and/or counties.
- To address the totality of resource and case management issues, consider for inclusion in the proposal to the Supreme Court, as deemed appropriate, the following additional data collection and reporting suggestions:
  - Add element(s) to address collection on the number of hearings, as this is an informational issue concerning the JMC.
  - Add element on monetary assessments (not monetary collections). The CourTools measure #7 refers to the collection of monetary penalties. While collection is the clerks' responsibility, a prerequisite to collection is the assessment by the court. Currently, assessments are being used as a performance measure in the reports by the clerk (quarterly and perhaps annually) however the courts are unable to capture this information for court use.
  - Add element(s) to capture information on specialty courts as a status. Specialty cases move slowly, on purpose, and if not separately reported, or otherwise taken into account, the extra time to disposition will add to average time of disposition of all other cases presenting a false performance measure. Collection of this data element will allow a separate performance measure for the specialty courts.
  - Add element(s) on pro se parties. As with specialty courts this information is to account for, within the performance measures, the additional time these cases take to disposition.
  - Explore options to add element/status on incomplete service, as without this information, unnecessary delays may occur. This element may be more appropriately applied at the local level within Court Application Processing Systems to allow the courts to easily obtain reports on cases pending service to take case management action.
  - Additionally, explore options to ensure reporting capability on charges, as assessments in criminal cases are made based on the charges.
  - Lastly, consider that the clerks provide *consistent* reporting, since there are reports of disparity in the reporting practices by clerks in various counties.

#### *Reliability Concerns in Overall Data Quality*

- An administrative order may be needed from the Supreme Court to ensure the clerks provide quality, accurate data. In addition, commitment and procedure should be established to find and fix incomplete or incorrect data.
- Consider expanding the parameters of current OSCA auditing procedures based on the proposed 17 data elements.
- Address concerns about clerks providing correct data, but that the local data is not being resolved uniformly in CCIS.
- Consider requiring uniform docket codes among division types.

**Enclosure 4**

**Response to Judicial Management Council Performance Workgroup  
Recommendation One**

**Uniform Case Reporting Project**

**Preliminary Proposal**

# **Response to Judicial Management Council Performance Workgroup Recommendation One Uniform Case Reporting (UCR) Project Preliminary 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 relationships, data entities and elements represent a viable model 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. The CSWC suggests that the Performance Management Workgroup review the TCDM and prioritize the implementation of data entities within the model by identifying associated organizational value for these entities and 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 8.

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 Fl. 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 division of court. Additionally, the twelve elements currently collected as part of this effort should be expanded to a total of seventeen elements. These seventeen elements are instrumental in calculating basic macro level performance indicators for the court and in satisfying a variety of existing administrative orders, rules of court, and statutory requirements. 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 Data 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 Data 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>

Table 1: Uniform Case Reporting Initial Data Elements

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 8, “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.

### **Additional data elements**

The performance measures proposed in this report are nationally recognized as fundamental measures in court management. Still, it is important to note that these measures provide a macro view of the courts and do not offer complete information in comparing circuits and/or counties. A more nuanced court management picture will require the courts to build upon the data elements in this proposal. As part of its referral to the CSWC, the TCP&A Performance Management Workgroup proposed several additional elements for consideration. These elements include:

1. Number of hearings
2. Monetary assessments
3. Flags to denote pro se parties
4. Indicators of specialty courts
5. Flags to denote incomplete service
6. Establishment of uniform docket codes

The CSWC notes that the first four elements are currently included as elements of the Trial Court Data Model (TCDM) and recommends that the fifth element be added to the TCDM as

appropriate. The CSWC recognizes the usefulness of uniform docket codes. However, the establishment of docket categories is a complex court process question and outside the scope of this proposal

For all of the proposed elements, the CSWC believes that additional information is necessary to establish the most efficient process for collecting this information. In particular, the court will need to determine if this data is currently captured and, if so, identify the primary source of this data. The TIMS report noted that different pieces of information had different value at each level of court. The elements must be evaluated to determine whether a state level system such as JDMS or a local system such as the Court Applications Processing Systems (CAPS) is the more appropriate collection point. The CSWC also asks that the Performance Management Workgroup provide additional context for the collection of this data such as what uses of this data are anticipated, what measures are to be computed and what actions may be taken if this data were known. With this information, the CSWC may better be able to provide a more complete analysis as part of its final recommendations in October 2015.

### **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 ideal transmission of 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. Consequently, the CSWC recommends that state-level case-level records, such as those proposed for the UCR Project, should be submitted from the clerks of court to the OSCA on a daily basis, at a minimum.

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.

### **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.

## **Future development**

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 entities and elements to be implemented. This set should consist of approximately ten elements and should be considered in relation to the organizational and management value they provide.
3. Identification of data sources and supporting infrastructure necessary to collect the proposed data elements.

## Item IV. Judicial Workload Study

### IV.A. Project Update

The Supreme Court of Florida has tasked the Office of the State Courts Administrator (OSCA) with updating the trial court judicial case weights used to evaluate judicial workload. The OSCA has 15 years of direct experience evaluating judicial workload beginning with the 1999 Delphi Workload Assessment followed by the 2006-07 Judicial Resource Study (JRS). In the fall of 2014, the OSCA signed a contract with the National Center for State Courts (NCSC) to perform the Judicial Workload Study. The NCSC were the consultants on the two previous studies.

As Chair of the Supreme Court's Court Statistics and Workload Committee, Judge Alessandrone is the lead judicial officer on this effort. Staff support is being provided by the OSCA.

Below is the timeline of the study. The steps that have been completed to date are in bold font.

#### Major Methodological Steps:

- **Appoint and convene a forty member Judicial Needs Assessment Committee (executive committee) comprised of one county and one circuit judge for each circuit (February 12-13, 2015). Meeting held, methodology approved by committee.**
- **Chief Justice Labarga issues letter to all trial court chief judges re: study. (May 2015)**
- Attend county and circuit judges' conferences to orient judges re: time study (July/August 2015); Judge Alessandrone and NCSC staff will make presentations.
- NCSC will develop web-based/video training for the circuits re: time study (August 2015); Training hyperlinks will be emailed to all time study participants.
- Conduct a one month web-based judicial time study of all trial court judges. Senior judges, magistrates and hearing officers may be included in the time study (Sep. 2015);
- Administer a web-based *Sufficiency of Time* survey for all trial court judges (fall 2015);
- Conduct site visits to a sample of small, medium, large and extra-large circuits, meeting with the chief judge, administrative judges and trial court administrators (fall 2015);
- Convene a group of approximately 120 judges by court division to assess the proposed revised weights (winter 2016);

**Commission on Trial Court  
Performance & Accountability  
Court Statistics & Workload Committee  
Phone Conference  
June 1, 2015**

- Reconvene the Judicial Needs Assessment Committee to review and approve of the final proposed case weights (January/February 2016); and
- A final report documenting the entire Judicial Workload Study by the NCSC is due to the supreme court in the late spring of 2016.

JNAC talking points are provided in Enclosure 5. An in-depth slide presentation prepared by Judge Crown of Collier County is provided in Enclosure 6 to give members additional context.

**Decision Needed:**

1. None. For information only.

**Enclosure 5**

**Florida's Judicial Workload Time Study**

**Talking Points**

## Florida's Judicial Workload Time Study

### Talking Points

**What:** Judicial Workload Time Study as part of the 2015-2016 Judicial Workload Study required by the Supreme Court of Florida.

- This assessment, which is being conducted with consulting assistance from the National Center for State Courts, will be the third Florida judicial workload study since 1999, and the first one in 15 years to include a detailed one month time study, and the first one ever for which we are requesting 100% participation from all trial judges.
- The 1999 time study involved 15% of the judges for two months.
- A workload methodology is required by the Florida Legislature (1998) and the current methodology has been used repeatedly by the National Center for State Courts.
- First Workload Study **1999 *Delphi Final Report***  
<http://www.flcourts.org/core/fileparse.php/253/urlt/DelphiFullReport.pdf>
- Second Workload Study **2006/07 *Judicial Resource Study***  
<http://www.flcourts.org/core/fileparse.php/253/urlt/JRSReportFinal.pdf>
- **2006/07 *Judicial Resource Study*** appendices  
<http://www.flcourts.org/core/fileparse.php/253/urlt/JRSReportAppendicesFinal.pdf>
- **Current and Past Case Weights** (see hyperlink below)  
<http://www.flcourts.org/core/fileparse.php/512/urlt/CaseWeights.pdf>
- Between 2001 and 2007, 159 total judgeships (53 county and 106 circuit) were funded by the legislature after the initial workload (time) study in 1999.
- No judges were funded after the 2007 assessment which did not involve a time study and was conducted just before the Great Recession began in 2008.

- Staff support is being provided by the Office of the State Courts Administrator (OSCA).

**Why:** Need for an accurate statewide assessment of current judicial workload.

- Current judicial case weights are 7 years old and are becoming outdated.
- Judge driven process (heavy judicial involvement - entire process).
- Multi-layered methodology: executive judicial direction, judge forums groups (120 judges), *Sufficiency of Time* survey (all judges), site visits to multiple circuits, final judicial case weight approval.
- Current case weights do not capture law changes, appellate requirements, additional findings of fact, relocation issues, and other workload factors that have come about since 2007.
- Filings are declining, yet judges throughout the state consistently report that workload remains heavy and they are experiencing increasing complexity. There are reports of significantly more hearings, findings of fact, and other requirements since 2007.
- Travel concerns (intra circuit/large geographic circuits).
- Loss of support staff during the *Reduction in Force* (RIF) of 2008-2009. Many of these lost FTEs assisted judges with case processing.

**Who:** We are asking all circuit and county trial court judges to participate. Mere sampling will be less effective.

- 100% judicial participation enhances case weight validity.
- Full judicial participation sends positive message about branch wide commitment to carefully quantifying workload and ensuring accuracy of new case weights.
- Full judicial participation could help buttress judicial pay issue.
- Full judicial participation will capture workload nuances by county and circuit including division assignments, geography, travel, etc.

- Judicial Assistants may help record time.

**Where:** On Bench/In Chambers – Internet-Based Online Time Study

- Pre-trial, in-court, post judgment activity tracked daily.
- Provisions for case-related and non-case-related activity.
- Night and weekend judicial activity will be captured.
- Paper time sheets can be used during day for recording/tracking. Tablet and smart phone use is an option.
- Paper time sheets need not be retained once data is uploaded into NCSC's data base.
- Total estimated daily time to record takes approximately 7-10 minutes.
- Data will be transmitted to NCSC's servers in Williamsburg, VA.
- NCSC Help Desk available to trouble shoot and answer questions.
- OSCA staff can trouble shoot if needed.
- Prerecorded training videos will be made available.

**When:** Projected dates are September 28 through October 25 (four weeks/twenty working days). Exact dates to be determined.

- All judicial workload will be captured including nights and weekends.

### **Ancillary**

**Benefits:** There are several additional benefits to conducting the time study.

- Document full range of workload activity confronting judges.
- Capture data on self-represented litigants.
- Capture data on court interpreters.
- Capture data on problem solving courts.
- Capture data on county judges performing circuit work.
- Assess impact of E-filing/paperless courts.

- Possible capture of data on supplemental resources (e.g., magistrates and senior judges).
- Could help with funding other branch issues (e.g., law clerks).

**Outreach:** Need an effective strategy to promote maximum judicial participation.

- Long-term best interest of trial court judges and the judicial branch to participate and help to ensure valid and reliable underlying data to buttress findings and workload measurement. The nearer participation approximates 100%, the greater validity of the study will have, and the more persuasive it will be in advocacy efforts for judicial resources.
- Judicial leadership and participation will be key to success.
- This item will be placed on all chief judge administrative meetings.
- We hope to make presentations prior to the time study at:
  - 2015 Circuit Judges' Conference.
  - 2015 County Judges' Conference.
  - 2015 Judicial Assistants' Conference.

**Enclosure 6**

**2015 Judicial Workload Assessment  
Presentation**



# 2015 Judicial Workload Assessment

Rob Crown  
Collier County Court Judge  
3315 East Tamiami Trail, #206  
Naples, FL 34112

Office of State Courts Administrator | National Center for State Courts

## Objective

The Judicial Needs Assessment Committee (JNAC) is comprised of 41 judges – a county and circuit court judge from each circuit plus our chair.

We are working in an advisory capacity with the Office of the State Courts Administrator and the National Center for State Courts in order to conduct a workload assessment later this year.

The purpose of this presentation is to introduce the study to the judiciary and to respectfully encourage full participation for the benefit of our entire branch.



## Presentation Format

- Historical Overview
- Calculating Judges Needed
- How It Works
- Annual Certification Process
- Benefits of Participation



## Historical Overview

In 1998, the Legislature indicated that requests for additional judges must be supported by a Delphi-based caseload weighting system.



## Historical Overview

A weighted caseload system determines whether additional judges are needed based – not only on the number of cases filed – but also on how much time it takes for judges to handle different types of cases based on the complexity of those cases.



## Historical Overview

In response to this 1998 legislative mandate, the Office of the State Courts Administrator (OSCA) contracted with the National Center for State Courts (NCSC) to develop such a weighted caseload system.



## Historical Overview

In 1999, OSCA and NCSC conducted a two-month time study during which nearly 120 judges tracked the amount of time they spent on different types of cases.

**\*There has been no such time study since this one in 1999.**



## Historical Overview

Case weights were established as a result of this time study in 1999.

Since then – pursuant to the legislative mandate – the Supreme Court has determined and certified the need for additional judges according to this Delphi-based caseload weighting system.



## Historical Overview

Between 2001 and 2006, the  
Legislature funded

**159 new judgeships**

based on the case weights  
established by the time study in 1999.



## Historical Overview

In 2006, an online survey was conducted in order to  
update the case weights established in 1999.

- **This survey did NOT include an actual time study.**
- **Not a single judgeship has been funded using the case weights established by this survey.**



## Historical Overview

Therefore, we have an opportunity  
to participate in the first actual time  
study in Florida since 1999!



## Calculating Judges Needed

Three elements to determine the  
number of judges needed:

Number of cases filed  
Case weights (minutes)  
Judge year value (minutes)



## Calculating Judges Needed

### 1<sup>st</sup> Element - Number of Cases Filed

Pursuant to §25.075, F.S., the Supreme Court created the Summary Reporting System (SRS).

Clerks of Court report case filings to OSCA based on case type.

These SRS reports will be used to determine the number of cases filed.

Therefore, this first part of the calculation imposes no requirement on judges.



## Calculating Judges Needed

### 2<sup>nd</sup> Element - Case Weights

This second part of the calculation will be based on our time study conducted as follows:

- Between 9/28/15 and 10/23/15
- Four weeks/twenty working days
- Capture all judicial work **ON & OFF THE BENCH**, including nights and weekends
- Track time easily and quickly (paper log with check marks or online, including tablets and phones)
- Total estimated time/day to record: 7-10 mins.



# Calculating Judges Needed

## 3<sup>rd</sup> Element - Judge Year Value

The “judge year value” is equivalent to the number of minutes available per year to actually work on cases, calculated as follows:

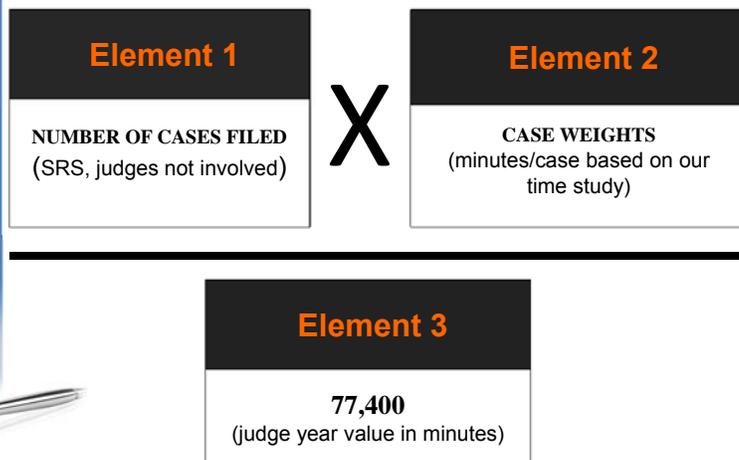
- Approximate case-related time/day = 6 hours
- 6 hours/day = **360 minutes/day**
- 365 days/year – weekends, holidays, vacation, sick days, committee work, CJE time = **215 work days/year**
- 360 minutes/day x 215 work days = **77,400 minutes/year/judge**



**Judge Year Value = 77,400 mins./year/judge**

# How It Works

## The Formula



## How It Works

### An Example

(This is the top of the formula)

**ELEMENT 1** x **ELEMENT 2**

	# of Cases Filed (SRS)		Time/Case (mins.)	=	Workload (mins.)
Case Type A	1000	X	300	=	300,000
Case Type B	3000	X	50	=	150,000
Case Type C	200	X	125	=	25,000

**Total Workload (mins) = 475,000**



## How It Works

### An Example

$$\begin{array}{rcccl} 475,000 & & 77,400 & & 6.1 \\ \text{(total workload} & \div & \text{(judge year} & = & \text{(# of judges} \\ \text{in mins.)} & & \text{value)} & & \text{needed)} \end{array}$$



## Annual Certification Process

Every year, OSCA and the Supreme Court use this formula to determine the need for additional judges.

### Element 1

**NUMBER OF CASES FILED**  
(SRS, judges not involved)

**X**

### Element 2

**CASE WEIGHTS**  
(minutes/case based on our  
time study)

### Element 3

**77,400**  
(judge year value in minutes)



## Annual Certification Process

### Element 1

**NUMBER OF CASES FILED**  
(SRS, judges not involved)

Again, this part of the equation comes directly from SRS.

No additional responsibility for judges.



## Annual Certification Process

### Element 2

**CASE WEIGHTS**  
(minutes/case based on  
our time study)

<u>1999 Study</u>	<u>Our Study</u>
2 months	1 month
9 circuits	20 circuits
120 judges (20%)	all judges (100%)

**With 100% participation, we will provide the Supreme Court with the most accurate case weights ever calculated, and we can do it in half the time of the 1999 study.**



## Annual Certification Process

### Element 3

**77,400**  
(judge year value in  
minutes)

Remember the formula for “judge year value”:

**360 minutes/day x 215 work days**  
= 77,400 minutes/year/judge

Minutes/day = case-related time on and off the bench

Minutes/day may vary based on division assignments, geography, travel, etc.

Therefore, with 100% participation, our time study will capture these workload nuances by county and circuit.



## Benefits of Participation

- Establish current case weights based on the first actual time study since 1999
- Provide accurate, verifiable data to enhance credibility of Supreme Court's annual certification of need to Legislature
- Document full range of workload activity confronting judges
- Capture data on pro se litigants & specialty courts
- Assess impact of E-filing/paperless courts



## Benefits of Participation

### **100% Judicial Participation:**

- ensures accuracy of new case weights
- enhances validity of time study
- sends positive message about our commitment to accurately quantifying judicial workload
- supports judicial pay issues
- captures workload nuances by county & circuit, including division assignment, geography, travel, etc.



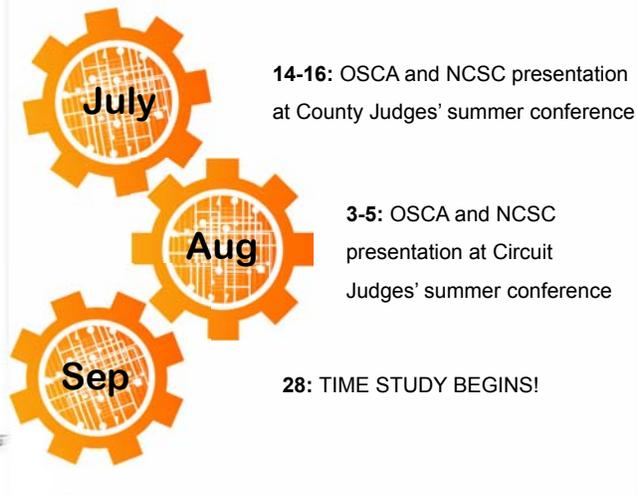
## Benefits of Participation

It is in the long-term best interest of our entire branch to participate in this time study in order to ensure valid and reliable underlying data to buttress findings and workload measurement.

With 100% participation, the study will have greater validity and be more persuasive in advocating for judicial resources.



## Some Important Dates...



## **Item V. Issues of Interest**

### **V.A. Judicial Data Management Services (JDMS)**

The status of the funding for the Judicial Data Management Services (JDMS) project is currently uncertain. Project advancement is contingent on the passage of a FY2015-2016 Legislative Budget Request providing additional FTE and monies for system development. The draft project plan submitted to the legislature in support of the legislative budget request (LBR) was provided in the last meeting's materials. Since the legislature did not pass the FY2015-2016 state budget during regular legislative session, a special session has been scheduled from June 1 to June 20. OSCA staff has been preparing for July 1 as if the resources to fund JDMS will be provided. A more in-depth project plan for FY2015-2017 is currently being finalized. OSCA staff is also developing an alternative project timeline in the event the funding is not received.

The recommendations of the Judicial Management Council (JMC) Performance Workgroup do not conflict with the FY2015-2017 project plan developed for JDMS. Specifically, JMC Recommendations 1 and 4 are congruent with Goal #2 of the JDMS project plan. Accordingly, JDMS is being recommended as the framework in which to initiate the data collection effort in this committee's proposal.

#### **Decision Needed:**

1. None. For information only.

### **V.B. FY2013-2015 Foreclosure Initiative**

The FY2013-2015 Foreclosure Initiative officially ends on June 30, 2015. As noted before, OSCA staff has been reaching out to the clerks of court and circuit administration to correct minor data discrepancies in preparation for the final reports that will be prepared for the Legislature at the culmination of the initiative. However, in response to Recommendation 4 of the JMC Performance Workgroup, the supreme court issued AOSC15-9 In Re: Continued Case Reporting Requirements for Real Property Mortgage Foreclosure Cases on April 1, 2015. (See Enclosure 7.) This administrative order continues the requirement to report mortgage foreclosure data to the OSCA through June 30, 2016, "or until such time this Court revisits the requirement."

Since the initiative will be concluded, the data collection plan referenced in this AO will no longer be titled as relating to the FY2013-2015 Foreclosure Initiative, but will detail the same requirements for reporting mortgage foreclosure case data in a seamless manner. Future work on the full data collection effort (Item III) is expected to absorb the reporting of mortgage foreclosure case data.

To wrap up the FY 2013-2015 Foreclosure Initiative data collection: a tremendous amount of knowledge was gained as a result of this successful effort. The data collection component of this

project was based on work this committee did in 2011-2013 in support of the case aging statistics of Fl. R. Jud. Admin. 2.225(a)(2). The Initiative provided proof of concept for many of the data management ideas identified in this early case aging work and have subsequently been incorporated into the proposed JDMS system. Of particular importance is the daily submission of data combined with the ability to capture case activity as it occurs instead of querying data after the fact, which resulted in a tremendous leap forward in the quality of the Foreclosure Initiative data. This event-push model was a recommendation from the TIMS report and Trial Court Data Model and was validated during this committee's work on case age statistics in 2012 that was adopted on February 1, 2013.

**Decision Needed:**

1. None. For information only.

**V.C. Incorporating Case-Event Definitional Framework (AOSC14-20) into SRS Reporting**

In keeping with the supreme court charge to incorporate the Case-Event Definitional Framework, staff is incorporating the event definitions into the SRS manual. The OSCA plans a complete SRS Manual revision beginning in August 2015 to include changes as a result of the Case-Event Definitional Framework.

Staff determined that the changes necessary to incorporate the definitional framework will fall into three categories, based on the potential impact of the change on SRS reporting: minor (would have the least significant impact on the reporting of SRS statistics), medium (will have some impact on SRS statistics or may require changes to local operating procedures), or major (would have a significant impact to SRS reporting or may involve disruptive changes to local operating procedures). A final draft of the SRS manual is expected by June 2016.

**Decision Needed:**

1. None. For information only.

**V.D. Evaluation of SRS counting methodology for Juvenile Dependency cases**

At the February 11, 2015 meeting, staff was asked to investigate the impact of changing the dependency unit of count from case filings to children.

Staff completed its review and found that changing the unit of count to children would have a significant impact on SRS statistics and the workload and resource models that depend on them.

**Commission on Trial Court  
Performance & Accountability  
Court Statistics & Workload Committee  
June 1, 2015**

In particular, this change would require a redesign of the juvenile dependency case weight use as part of the judicial weighted workload model. It is true that the JNAC study is currently underway, which seems to afford an opportunity for change. However, the parameters of the study are already defined, and therefore to change them at this late stage would set the project back beyond its allotted timeline. Additionally, this change would negatively impact the clerks of courts, as it would require significant changes to their case management systems.

However, staff has determined that the number of children may be available from the Florida Dependency Court Information System (FDCIS). The committee may wish to recommend that OSCA evaluate this information to develop a possible workload modifier that includes the number of children per case.

**Decision Needed:**

1. None. For information only.

**Enclosure 7**

**Fla. Admin. Order No. AOSC15-9**

**In Re: Continued Case Reporting Requirements for Real Property  
Mortgage Foreclosure Cases**

# Supreme Court of Florida

No. AOSC15-9

IN RE: CONTINUED CASE REPORTING REQUIREMENTS FOR REAL  
PROPERTY MORTGAGE FORECLOSURE CASES

## ADMINISTRATIVE ORDER

Consistent with In Re: Final Report and Recommendations of the Foreclosure Initiative Workgroup, Fla. Admin. Order No. AOSC13-28 (June 21, 2013), and In Re: Case Status Reporting Requirements for Real Property Mortgage Foreclosure Cases, Fla. Admin. Order No. AOSC13-51 (Oct. 16, 2013), this Court finds it beneficial to require the continued real property mortgage foreclosure data reporting requirements as detailed in the data collection plan prepared by the Office of the State Courts Administrator.<sup>1</sup>

Our trial courts have dedicated considerable resources toward the just and timely disposition of foreclosure cases, thereby resolving more than 250,000 foreclosure cases during the last two and a half years. Nevertheless, a significant

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1. See FY 2013-14 Foreclosure Initiative Data Collection Plan (June 2013), Office of the State Courts Administrator (on file and available on the Florida Courts website at [http://www.flcourts.org/gen\\_public/funding/MortgageForeclosureCases.shtml](http://www.flcourts.org/gen_public/funding/MortgageForeclosureCases.shtml)).

number, approximately 120,000, of foreclosure cases remain pending in the court system.

Under the current real property mortgage foreclosure reporting requirements, clerks of the circuit court provide additional case information that allows the court system to better assess the status of foreclosure cases in the circuits. In order for the court system to continue to determine whether public resources are being used efficiently, accurate and timely court data must continue to be collected and meaningful statistics calculated and reported.

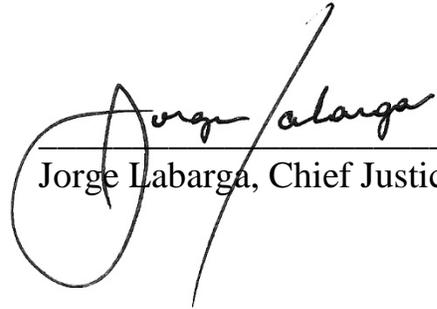
In accordance with section 25.075, Florida Statutes, the court system has developed a uniform case reporting system. The Summary Reporting System, or SRS as it is commonly known, provides the Office of the State Courts Administrator with data that assists the Supreme Court in its management and oversight role of the judicial branch. Florida Rule of Judicial Administration 2.245 requires the clerks of the circuit court to report the activity of all cases before all courts within the clerk's jurisdiction to this Court in the manner established by the Office of the State Courts Administrator and approved by order of this Court.

The clerks of the circuit court are hereby directed to continue real property mortgage foreclosure data reporting requirements as detailed in the data collection plan prepared by the Office of the State Courts Administrator through June 30, 2016, or until such time this Court revisits the requirement. This plan includes

reporting requirements that provide the requisite information to compute: 1) time to disposition, 2) age of pending cases, and 3) clearance rate.

The Florida Supreme Court recognizes and appreciates the valuable contributions the clerks of the circuit court have provided throughout the mortgage foreclosure crisis and will continue to provide in support of this important initiative.

DONE AND ORDERED at Tallahassee, Florida, on April 1, 2015.

  
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Jorge Labarga, Chief Justice

ATTEST:

  
\_\_\_\_\_  
John A. Tomasino, Clerk of Court



## **Item VI. Next Meeting**

The next meeting of the FY 2014-16 term will be a phone conference, likely held during lunch time.

It is anticipated this phone conference will be held in September or October. Staff will email possible dates to members to request your availability and preference.

### **Committee Action Needed:**

1. Please reply to the forthcoming email with your availability for the proposed meeting dates.