

**Commission on Trial Court Performance and Accountability  
Conference Call  
September 17, 2015**

**Minutes**

**Members in attendance:**

Judge Diana Moreland, Judge Terry D. Terrell, Judge Paul Alessandroni, Judge Ronald W. Flury, Judge Victor L. Hulslander, Barbara Dawicke, Holly Elomina, Judge Ellen Sly Masters and Judge William Roby

**Members absent:**

Judge Herbert Baumann, Jr. Gay Inskeep, Judge Leandra Johnson, Judge Shelley Kravitz, and Justice Jorge Labarga (Liaison)

**Staff in attendance:**

Greg Youchock, Patty Harris, Maggie Evans, P.J. Stockdale, Andrew Johns, Arlene Johnson, and Victor McKay

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**I. Welcome, Judge Diana Moreland, Chair**

Judge Moreland called the meeting to order at 12:00 p.m.

**II. Approval of the June 5, 2015 Minutes**

Judge Moreland asked the members if they had reviewed the minutes and if there was a motion to approve. Judge Hulslander moved to approve the minutes. The motion was seconded by Judge Alessandroni and the minutes were approved unanimously without modification.

**III. Status Updates**

**A. Performance Management Workgroup**

Patty Harris gave an update on the work of the Performance Management Workgroup (Workgroup). The Workgroup, chaired by Judge Hulslander, is assisting in developing recommendations to the Supreme Court on a performance management framework for the trial courts. At the most recent meeting in Orlando, the Workgroup received a presentation on a statewide court data model, participated in a work exercise regarding the National Center for State Court's High Performance Court Framework, and began developing preliminary recommendations. These recommendations include the scope of a performance management framework, the goals the trial courts would want to accomplish and what administrative principles to institute as a guide for using the data.

Administrative principles are important general beliefs judges and court managers have about how the administrative process should work to fulfill their responsibility to ensure legal decisions are made in a manner that satisfies customer expectations. These principles can be powerful in shaping how judges and court managers gauge whether administrative practices are working as desired. If court practices are not consistent with the principles, judges will see to make them more procedurally fair. For this reason, administrative principles are a critical element in determining a performance management framework.

### **B. Shared Remote Interpreting Workgroup**

Ms. Harris stated the Shared Remote Interpreting Workgroup, chaired by Tom Genung, is working on the development of recommendations pertaining to the business processes associated with a statewide pool of court interpreter resources that will be shared among the judicial circuits. The group has been following the regional pilot that was established in 2014, as well as collecting workload data from court interpreters in the state. It is anticipated that a report will be distributed to all the circuits in the near future for feedback. Once the outreach is complete, the recommendations will be forwarded to TCP&A for approval.

### **C. Joint Workgroup on Dependency/TPR Appeals Issues**

The Joint Workgroup on Dependency/TPR Appeals Issues has been working on issues related to improving timeframes in the receipt of documents which comprise the record in dependency/termination of parental rights cases. The members were informed the workgroup has completed their draft report and is preparing it for outreach to a number of stakeholders including circuits, districts, clerks, chief judges, etc., as well as some external agency heads. Once the outreach is complete, the recommendations will be submitted to TCP&A.

## **IV. Information on the Office of Program Policy and Analysis and Government Accountability**

Greg Youchock provided an update on the review by the Office of Program Policy Analysis and Government Accountability (OPPAGA), on the trial courts, as directed by the Florida Legislature via proviso language within the General Appropriations Act. The areas of study include:

- A staffing study including the adequacy of staffing and assessment of administrative staffing ratios;
- An evaluation of the efficiency and effectiveness of court administration;
- An assessment of the court's case processing and recommendations to improve efficiency;
- The use of training and travel funds for judges and staff;
- An assessment of the structure, function, and effectiveness of the Judicial Qualifications Commission in disciplining and reviewing the conduct of judges and justices; and
- The identification of best practices that promote the effective administration of justice in Florida.

The OPPAGA is reaching out to 8-10 circuits as well as meeting individually with chief judges and court administrators. A report will be developed by OPPAGA and submitted to the Legislature on December 1, 2015.

## **V. Review and Approval of Uniform Case Reporting Plan (*Decision Needed*)**

P.J. Stockdale provided an update on the Uniform Case Reporting (UCR) specifications. He informed the members that the specification document outlines data collection that is necessary to track and monitor case activity and events. Examples of these events include when a case is filed, when a judge is assigned, etc. The UCR data collection specification describes how to report that kind of case event information. The premise of the proposal

is to have the events reported as they happen. For example, when a case is filed, the clerk reports that event has happened. This “as occurring” event reporting is in response to TCP&A’s desire for improved quality of the data. Mr. Stockdale further stated that whenever a county adopted an occurring reporting mechanism during the foreclosure initiative, there was an improvement of the data being reported. The UCR effort attempts to consolidate a variety of reporting requirements into one system. This project will also help the clerks reduce the number of reports they submit through rules 2.225 (case inventory reporting), 2.250 (pending reporting), 1.101 (complex civil reporting) and 2.245 (SRS reporting). The CSWC has added to this proposal, in addition to what was approved on June 5, an implementation schedule found on page 23 of the meeting packet. It was noted the clerks were concerned about the workload this type of reporting would have. The implementation schedule is meant to slowly implement the newly proposed type of reporting. This implementation schedule will give the clerks time to develop their systems, give OSCA time to build infrastructure, and incorporate the consolidation of five different reports. Language on an implementation schedule will be included on the administrative order that points out OSCA will establish a reasonable timeline in consultation with the clerks. All the information being collected is important for workload analysis as well as resource allocation.

In the proposal, the CSWC suggested asking the Supreme Court to issue an order directing this data collection mechanism, to be followed by a rule in the future. A draft of that proposed AO was presented as well. The members discussed using language that would allow for modification of the timeline. Mr. Stockdale noted there is language in the AO that states any maintenance is the responsibility of the OSCA, allowing OSCA the opportunity, with the consent of CSWC and TCP&A, of amending either the implementation plan or the data collection plan. The members discussed the potential reaction from the clerks. The timeframe was developed based on feedback they received from the clerks. Judge Alessandroni informed the members that he will be meeting with the clerks at their executive conference meeting on October 7 to provide information on the proposal and the timeline. He discussed these data elements are the minimum of what judges need to manage their dockets as well as for OSCA to manage the court system on a statewide basis. Judge Hulslander motioned to include language for OSCA to be authorized with developing and adjusting a timeline for implementation. Judge Terrell seconded. The motion carried. Judge Hulslander also motioned to accept the AO as amended, the final proposal, and the data collection specification. Judge Terrell seconded. The motion carried.

Judge Moreland thanked the members for their time and dedication to the commission. There being no other business, the meeting adjourned at 1:15 p.m.