

CIRCUIT COURT PENDING CASELOAD REPORT

This section, Circuit Court Pending Caseload Report, covers the reporting do's and don'ts that should be followed when completing the quarterly Pending Caseload reporting forms and addendums. For ease of following the Pending Caseload forms, this section is divided into the major court divisions as indicated on the forms. The Pending Caseload reporting forms are located at the end of this section. Each ✓ and ✗ indicates guidelines and directions that should be followed when completing the specific section of the Pending Caseload forms. The Offender Based Transactions System (OBTS) guidelines are provided in the shaded boxes. For a detailed explanation regarding the computation of Pending Caseload data from the OBTS data, please refer to the section entitled, OBTS.

Introduction

The Circuit Court Pending Caseload Report provides the Supreme Court with information on the volume, age, and type of cases that are pending disposition in the circuit courts. You should submit the report on a quarterly basis ensuring that the Office of the State Courts Administrator receives this report by the 15th day of the month following the quarters ending March 31, June 30, September 30, and December 31. Also, you should submit the addendum forms listing those cases which exceed the time standard for each category.

The report is divided into the following sections:

- X criminal;
- X civil jury;
- X civil non-jury;
- X domestic relations contested;
- X domestic relations uncontested;
- X probate contested;
- X probate uncontested;
- X juvenile delinquency; and
- X juvenile dependency.

For each of these sections, report the number of active pending cases in the appropriate age blocks. The appropriate number of inactive pending cases should be reported for civil jury/non-jury, domestic relations contested/ uncontested, and probate contested/uncontested.

CIRCUIT CRIMINAL

Reporting is intended to correspond with the SRS reporting system as closely as possible. Once a case has been closed, in accordance with the definitions in the Summary Reporting System (SRS) manual, it should no longer be included nor counted on the pending report. Specific instructions on which cases should be included are outlined as follows:

Use the following guidelines for completing the pending caseload report for Circuit Criminal. For the purposes of reporting pending cases, keep in mind these points:

- ! An **active** criminal case is defined as any case in circuit criminal court in which an information or indictment has been filed and in which there is no outstanding capias, warrant, summons, or notice to appear.

For the OBTS, the prosecutor filing date field should be entered only when an information or indictment is filed. Use the prosecutor's final action code of N (Filed).

- ! Use the date of arrest to determine the age of an active criminal case.

For the OBTS, the date of arrest should be entered as reflected on the arrest document.

- ! Use the rearrest date to determine the age of an active criminal case if a defendant was arrested and subsequently rearrested.

For the OBTS, the rearrest date should be entered if the defendant was arrested and subsequently rearrested.

- ! Use the date of service of summons or notice to appear in cases where no arrest was made.

For the OBTS, the date the summons was served or date the notice to appear was issued should be entered if the defendant was not arrested/fingerprinted. If the defendant is subsequently arrested on charge(s), the date should be modified to reflect the date of arrest.

- ! If a defendant participated unsuccessfully in a pretrial intervention program and, subsequently, the state attorney proceeds with prosecuting the case, it should at that point be counted as an active case again and the date the case is reactivated should be used.

For the OBTS, use the court action taken code of H (pretrial diversion program), the reopen reason code of O (charge reopened **not due to violation of probation or motion for post conviction relief), and the date charge reopened should be entered to reflect the reactivation of the case.**

- ! In cases where a defendant was previously ruled incompetent and an order of competency has been issued, the date of the order of competency should be used.

For the OBTS, use the court action taken code of M (mentally/physically unable to stand trial), the reopen reason code of O (charge reopened **not** due to violation of probation or motion for post conviction relief), and the date charge reopened should be entered to reflect the reactivation of the case.

- ! Include cases in which a contempt of court or rule to show cause has been issued; cases deferred for presentence investigation; and cases in which a motion has been appealed prior to final disposition.

- ! Criminal case type categories to be reported include:

- X capital murder;
- X non-capital murder;
- X sexual offenses;
- X minimum mandatory (discontinued 07/91);
- X robbery;
- X other crimes against persons;
- X burglary;
- X thefts, forgery, fraud;
- X worthless checks;
- X other crimes against property;
- X drugs; and
- X other.

Please refer to the section of the Pending Caseload Summary form that reports information associated with the number of circuit criminal cases over and under the prescribed time standard for the specified reporting period.

- ✓ Report the most serious active felony count for each case pending before the court in the appropriate age category. There should be **no misdemeanor cases** reported in the criminal section.

- ✓ Report information on active cases that exceed the time standard (**180 days**) for Circuit Criminal on **Addendum Form 1**. On this form, list the following:

- X case number;
- X most serious SRS case type category; and
- X date of last arrest, date of service of a summons, or date of notice to appear on the felony charge.

For the OBTS, the date of arrest should be entered as reflected on the arrest document.

- ✓ Report one active case for each defendant when more than one defendant is charged on a single information or indictment.

For the OBTS, each defendant should have a unique case number. This can be accomplished by creating a different case number or by using an alpha suffix.

- ✓ Report one active case for each information or indictment when a defendant has more than one information or indictment filed against him/her and pending before the court.

The following items identify common reporting mistakes. Please check these items to ensure that the Pending Caseload report **does not** include these same reporting errors.

- ✗ **DO NOT** report inactive cases in the criminal section.

For the OBTS, the most recent capias/warrant issue date should be entered into the capias date field.

- ✗ **DO NOT** include cases in which the defendant is participating in a pretrial diversion program.

For the OBTS, use the prosecutor's final action code of P or the court action code of H for pretrial diversion.

- ✗ **DO NOT** include cases in which the defendant has been ruled incompetent to stand trial.

For the OBTS, use the court action taken code of M (mentally/physically unable to stand trial).

- ✗ **DO NOT** include reopened cases (i.e., violation of probation, post conviction relief motions) or appeals from county court to circuit court.

For the OBTS, use the reason charge reopened code of V (violation of probation) and P (motion for post conviction relief).

CIRCUIT CIVIL JURY AND NON JURY

Use the following guidelines for completing the pending report for circuit civil. For purposes of reporting pending cases, keep in mind these points:

- ! Use the date of the filing of the complaint to determine the age of civil cases.
- ! A **jury** cases is defined as any case in circuit civil court in which a demand or notice for jury trial has been filed.
- ! A **non-jury** case is defined as any case in circuit civil court in which a demand or notice for jury trial has not been filed.
- ! An **active** case is defined as any case in circuit civil court in which a docket entry has been made within the previous year of the reporting period.
- ! An **inactive** case is defined as any case in circuit civil court in which no docket entry has been made within the previous year of the reporting period.
- ! Civil case type categories to be reported include:
 - X professional malpractice;
 - X products liability;
 - X auto negligence;
 - X other negligence;
 - X condominium;
 - X contract and indebtedness;
 - X real property/mortgage foreclosure;
 - X eminent domain (one case for each parcel); and
 - X other civil.

Please refer to the section of the Pending Caseload Summary form that reports information associated with the number of Circuit Civil-Jury and Non-Jury cases over and under the prescribed time standard and inactive for the specified reporting period.

- ✓ Report the number of active and inactive cases pending before the court in the appropriate age category for jury and non-jury cases.
- ✓ Report information on active and inactive cases that exceed the time standard for the reporting period (**18 months**) for Civil Jury on **Addendum Form 2A**. On this form, list the following:
 - X case number;
 - X SRS case type category;

- X case status (active or inactive); and
- X date of filing complaint.

✓ Report information on active and inactive cases that exceed the time standard for the reporting period (**12 months**) for Civil Non-Jury on **Addendum Form 2B**. On this form, list the following:

- X case number;
- X SRS case type category;
- X case status (active or inactive); and
- X date of filing complaint.

✓ Report each parcel involved in an eminent domain case. Once a parcel has been disposed; however, it should be removed from the report.

✓ Report abatement and interlocutory appeal cases.

✓ Report cases involving multiple defendants where only one defendant has filed for bankruptcy.

For example, if two defendants (A and B) are involved in one case, and defendant A files for and receives a notice of bankruptcy, the case should continue to be reported on the pending report until disposition of defendant B. If there is only one defendant involved in the case, however, the case should be removed from the pending report once the notice of bankruptcy has been filed.

The following items are common reporting mistakes. Please check these items to ensure that the Pending Caseload report **does not** include these same reporting errors.

- ✗ **DO NOT** include reopened cases.
- ✗ **DO NOT** include appeals from county court to circuit court.

DOMESTIC RELATIONS – CONTESTED AND UNCONTESTED

Use the following guidelines for completing the pending report for Domestic Relations. For the purposes of reporting, keep in mind these points:

- ! Use the date of the filing of the petition to determine the age of domestic relations cases.
- ! A **contested** case is defined as any case involving domestic relations in which an answer or response has been filed which denies any allegations set forth in the petition.
- ! An **uncontested** case is defined as any case involving domestic relations in which an answer or response has not been filed or the answer or response filed does not deny any allegations set forth in the petition.
- ! An **active** case is defined as any domestic relations case in which a docket entry has been made within the previous year of the reporting period.
- ! An **inactive** case is defined as any domestic relations case in which no docket entry has been made within the previous year of the reporting period.
- ! Domestic relations case type categories to be reported include:
 - X simplified dissolution;
 - X dissolution;
 - X support;
 - X other domestic relations;
 - X domestic violence; and
 - X repeat violence.

Please refer to the section of the Pending Caseload Summary form that reports information associated with the number of contested and uncontested domestic relations cases over and under the prescribed time standard and inactive for the specified reporting period.

- ✓ Report the number of active and inactive cases pending before the court in the appropriate age category for contested and uncontested cases.
- ✓ Report information on active and inactive cases that exceed the time standard for the reporting period (**180 days**) for Domestic Relations Contested on **Addendum Form 3A**. On this form, list the following:
 - X case number;
 - X SRS case type category;
 - X case status (active or inactive); and
 - X date of filing petition.

- ✓ Report information on active and inactive cases that exceed the time standard for the reporting period (**90 days**) for Domestic Relations Uncontested on **Addendum Form 3B**. On this form, list the following:

- X case number;
- X SRS case type category;
- X case status (active or inactive); and
- X date of filing petition.

The following items are common reporting mistakes. Please check these items to ensure that the Pending Caseload report **does not** include these same reporting errors.

- ✗ **DO NOT** include reopened cases.
- ✗ **DO NOT** include URESA cases
- ✗ **DO NOT** include appeals from county court to circuit court.

PROBATE – CONTESTED AND UNCONTESTED

Use the following guidelines for completing the pending report for Probate. For the purposes of reporting, keep in mind these points:

- ! Use the date of the filing of the petition to determine the age of probate **estate** cases.
- ! A **contested** case is defined as any case in probate court involving adversary proceedings under Rule 5.025, Florida Probate Rules, (including specific adversary proceedings, declared adversary proceedings, or adversary status by order) or probate cases involving a federal estate tax return.
- ! An **uncontested** case is defined as any case in probate court not involving adversary proceedings as defined above.
- ! An **active** case is defined as any case in probate court in which a docket entry has been made within the previous year of the reporting period.
- ! An **inactive** case is defined as any case in probate court in which no docket entry has been made within the previous year of the reporting period. Report the number of active and inactive probate cases pending before the court in the appropriate age category for contested and uncontested cases.

Please refer to the section of the Pending Caseload Summary form that reports information associated with the number of contested and uncontested probate cases over and under the prescribed time standard and inactive for the specified reporting period.

- ✓ Report only probate cases involving **estates**.
- ✓ Report the number of active and inactive probate cases pending before the court in the appropriate age category for contested and uncontested cases.
- ✓ Report information on active and inactive estate cases that exceed the time standard for the reporting period (**24 months**) for Probate Contested on **Addendum Form 4A**. On this form, list the following:
 - X case number;
 - X case status (active or inactive); and
 - X date of filing petition.
- ✓ Report information on active and inactive estate cases that exceed the time standard for the reporting period (**12 months**) for Probate Uncontested on **Addendum Form 4B**. On this form, list the following:
 - X case number;
 - X case status (active or inactive); and
 - X date of filing petition.

The following items are common reporting mistakes. Please check these items to ensure that the Pending Caseload report **does not** include these same reporting errors.

✘ **DO NOT** include reopened cases.

✘ **DO NOT** include the following casetypes:

- X guardianships;
- X trusts;
- X Baker Act;
- X Substance Abuse Act; and
- X other social.

JUVENILE DELINQUENCY

Use the following guidelines for completing the pending report for Juvenile Delinquency. For the purposes of reporting, keep in mind these points.

- ! An **active** case is defined as any case in juvenile court in which a delinquency petition has been filed and in which there is no outstanding capias, warrant, summons, or pick up order.
- ! Use the date of last arrest to determine the age of an active juvenile delinquency case. For example, if a juvenile was arrested and subsequently rearrested, the date of rearrest should be used.
- ! Use the date the child is taken into custody in cases where no arrest was made. If a summons is issued, the date the summons is served should be used.

Please refer to the section of the Pending Caseload Summary form that reports information associated with the number of juvenile delinquency cases over and under the prescribed time standard for the specified reporting period.

- ✓ Report the number of active cases pending before the court in the appropriate age category.
- ✓ Report information on active cases that exceed the time standard (**120 days**) for Juvenile Delinquency on **Addendum Form 5A**. On this form, list the following:
 - X case number; and
 - X date of last arrest, date of service of a summons, or date of notice to appear.
- ✓ Report one case for each child when more than one child is named on a single petition.

The following items are common reporting mistakes. Please check these items to ensure that the Pending Caseload report does not include these same reporting errors.

- ✗ **DO NOT** report inactive cases in the juvenile delinquency section.
- ✗ **DO NOT** include reopened cases (i.e., violations of community control).

JUVENILE DEPENDENCY

Use the following guidelines for completing the pending report for Juvenile Dependency. For the purposes of reporting, keep in mind these points:

- ! An **active** case is defined as any case in juvenile court in which a **dependency petition** has been filed.
- ! Use the date the **dependency petition** is filed to determine the age of an active juvenile dependency case.

Please refer to the section of the Pending Caseload Summary form which reports information associated with the number of juvenile dependency cases over and under the prescribed time standard for the specified reporting period.

- ✓ Report the number of active cases pending before the court in the appropriate age category.
- ✓ Report information on active cases that exceed the time standard (**120 days**) for Juvenile Dependency on **Addendum Form 5B**. On this form, list the following:
 - X case number; and
 - X date of filing petition.
- ✓ Report one case for each petition when more than one child is named on a single petition.

The following items are common reporting mistakes. Please check these items to ensure that the Pending Caseload report does not include these same reporting errors.

- ✗ **DO NOT** report inactive cases in the juvenile dependency section.
- ✗ **DO NOT** report reopened cases or post disposition activities (i.e., change of custody, permanent commitments, judicial review hearings, terminations of parental rights).

SUPREME COURT OF FLORIDA

Circuit Court Pending Caseload Report Summary

CIRCUIT _____ COUNTY _____
 (ARTI ENDIN)

CASE TYPE	ACTIVE		INACTIVE
1. Criminal	Less Than 180 Days	More Than 180 Days	Do Not Report Inactive Cases For Circuit Criminal
2. Civil a. Jury Cases	Less Than 18 Months	More Than 18 Months	
b. Non-Jury Cases	Less Than 12 Months	More Than 12 Months	
3. Domestic Relations a. Contested Cases	Less Than 180 Days	More Than 180 Days	
b. Uncontested Cases	Less Than 90 Days	More Than 90 Days	
4. Probate a. Contested Cases	Less Than 24 Months	More Than 24 Months	
b. Uncontested Cases	Less Than 12 Months	More Than 12 Months	
5. Juvenile a. Delinquency	Less Than 120 Days	More Than 120 Days	Cases for Juvenile Delinquency
b. Dependency	Less Than 120 Days	More Than 120 Days	Do not Report Inactive Cases for Juvenile Dependency

