

**JUVENILE DEPENDENCY WORKLOAD  
TRACKING WORKSHOP**

**TALLAHASSEE, FL  
SEPTEMBER 16, 2016**

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## **AGENDA**

### **9:30am Workshop Convenes**

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

The Honorable Ellen S. Masters, Chair

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

- A. Format of Workshop
- B. Travel Reimbursement Instructions

#### **Item III. Workshop Overview**

- A. Workshop Charge
- B. Objectives
- C. Discussion
- D. Next Steps

#### **Item IV. Estimation Exercise**

#### **Item V. Breakout Session**

- A. Dependency Case Flow Analysis
- B. Significant Event/Action Identification

### **12:00pm – 1:00pm Working Lunch**

#### **Item VI. Variance Exercise**

#### **Item VII. Breakout Session**

- A. Analysis of Significant Events/Actions for Measurement

#### **Item VIII. Summary of Recommendations**

### **4:00pm Workshop Adjourns**

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Performance & Accountability  
Court Statistics & Workload Committee  
Juvenile Dependency Workload Tracking Workshop  
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## **Workshop Overview**

### **Workshop Charge:**

The Florida Supreme Court tasked the Commission on Trial Court Performance and Accountability (TCP&A) with conducting “a workshop to identify events within a dependency case that involve significant judicial workload or court resources that are not captured by current tracking and reporting data systems. This workshop should identify appropriate data management and reporting processes for capturing this workload and resource usage.” (AOSC16-39 In Re: Commission on Trial Court Performance and Accountability)

### **Sponsoring Committee:**

Court Statistics and Workload Committee (CSWC)

### **Objectives of Workshop:**

- Identify events, actions and factors within a juvenile dependency case that may involve significant judicial workload or court resources for inclusion into court activity tracking and reporting data systems.
- Identify appropriate data management and reporting processes for capturing this workload and resource usage as a natural extension of normal work flow.

### **Workshop Discussion:**

The Juvenile Dependency Workload Tracking Workshop will engage in a set of exercises and focused discussions intended on identifying elements (events, actions and factors) within a dependency case that represent areas of significant workload or present issues of highly variable complexity. These discussions will consider these elements in the context of the Judicial Weighted Workload Model and will attempt to identify critical decision and measurement points that will allow the court system to monitor and manage these elements and resources to ensure adequate availability and efficient adjudication of dependency cases.

Workload within the court system in Florida is determined by the occurrence of certain events within a case and the time it takes to complete those events. This may represent a different perspective to many workshop participants since most dependency activity is centered on the children or parents in a case. Workload determination, on the other hand, is concerned with events and actions. These events and actions are rolled up into a count of petitions reported via the Summary Reporting System.

The number of petitions is an important aspect of workload. The time required to adjudicate those petitions is another. Every five years, the court system conducts an in-depth analysis of the work expended in handling dependency cases. The most recent review, called the Florida Judicial Workload Assessment, was conducted February 2015 through May 2016. The results of

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this study are currently under review by the Supreme Court. The case weights developed by this study coupled with the number of case petitions provide a comprehensive estimate of the dependency workload. This is known as the Judicial Weighted Workload Model and is used to provide the Legislature with the Annual Certification of Judicial Need each year. Within this weighted workload model, there are opportunities to fine tune the workload calculations through the use of adjustment modifiers. The Judicial Needs Assessment Committee that oversaw the Workload Assessment cited juvenile dependency as one area that may benefit from such tuning.

Workload calculations are further structured by AOSC14-20 In Re: Case Event Definitional Framework, which defines critical transition points in the activity of a case. We will use this framework extensively during the workshop. Please refer to AOSC14-20 in your materials for these definitions. Also, please note that the “disposition event” listed in the framework should, by definition, be taken to mean a “closure event”. It is understood that the term disposition has a different meaning in the juvenile dependency structure. For purposes of this workshop, we will use the term “closure” to indicate the point in which the presiding judicial officer has provided resolution on issues related to the initial commencement (filing) event.

**Next Steps:**

The CSWC and the Office of the State Courts Administrator (OSCA) will evaluate the elements (events, actions and factors) identified by this Workshop to determine how these elements may contribute to judicial workload calculations. Additionally, CSWC will consider how to track these elements through the Trial Court Data Model and make recommendations to the TCP&A. TCP&A will evaluate these recommendations from a resource and performance monitoring standpoint and make recommendations to the Supreme Court as necessary.

**Workshop Participants:**

The Honorable Ellen S. Masters, Circuit Judge, Tenth Judicial Circuit (Chair)  
The Honorable Alan Fine, Circuit Judge, Eleventh Judicial Circuit  
The Honorable Marci Goodman, Circuit Judge, First Judicial Circuit  
The Honorable Mary Hatcher, Circuit Judge, Fifth Judicial Circuit  
The Honorable James Martz, Circuit Judge, Fifteenth Judicial Circuit  
The Honorable Lee E. Haworth, Senior Circuit Judge, Twelfth Judicial Circuit  
Michele Emmerman, Unified Family Court Case Manager, Sixth Judicial Circuit  
Wendy Melgar, Juvenile Division Manager, Orange County Clerk of Court  
Angie Smith, Director of Public Information, Thirteenth Judicial Circuit  
Kim Stephens, Family Court Manager, Second Judicial Circuit  
Dawn Wyant, Information Systems Consultant II, Tenth Judicial Circuit  
Avron Bernstein, Senior Attorney, OSCA, Office of Court Improvement

**Attachment 01**

**Determining Workload in Juvenile Dependency  
The Weighted Caseload Model**

## **Determining Workload in Juvenile Dependency**

### **The Weighted Caseload Model**

Since 1999, the state of Florida has relied on a weighted caseload model to determine the need for judges in each circuit and county trial court during the annual judicial certification process. This model distills much of the complexity inherent in case activity down to those essential characteristics that impact judicial workload.

The weighted caseload method calculates judicial need based on each court's total workload. The weighted caseload model represents the analytical determinate used during the annual judicial certification process. The model consists of five elements:

1. Unambiguous case types that categorize the court activities into distinct, countable groups;
2. Case filings or the number of new cases of each type opened each year. Case filings are submitted to the Office of the State Courts Administrator (OSCA) by clerks of court and are forecasted out to the certification year;
3. Case weights, which represent the average amount of judge time required to handle cases of each type over the life of the case. Case weights capture the complexity of a specific case type and the contributions of a variety of court procedures, practices, and supplemental resources;
4. Work year value, or the amount of time each judge has available for case-related work in one year. Currently this time is set, over all circuits, to 6.0 hours out of an 8.5-hour day (1 hour for lunch and 1.5 hours for non-case related work) and 215 working days per year; and
5. Adjustment modifiers, which capture jurisdiction-specific characteristics, not represented in the other model components. Current adjustment modifiers include the jury trial modifier in circuit and county court, chief judge adjustment in circuit court, and election canvassing board adjustment in county court.

#### **Element 1: Case Types**

The weighted caseload model computes resource need by first calculating the expected workload facing a circuit for a given case type. For purposes of this workshop, we are only concerned with one of the twenty-eight case types defined for circuit court: Juvenile Dependency.

#### **Element 2: Case Filings**

The expected workload for a specific case type is calculated as the product of the anticipated filings (element 2) and the case weight for that case type (element 3).

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Case filings are submitted to the OSCA by clerks of court on a monthly basis and are forecasted out to the certification year to arrive at the anticipated filings for the case type. The OSCA collects case filings as part of its Summary Reporting System (SRS).

The SRS data collection form for the Juvenile Dependency division is included in Attachment 03, and the associated instructions in Attachment 04. For purposes of workload calculation, three commencement events, as defined by Florida Rules of Juvenile Procedure 8.201, are used to determine the case filings for a given time period:

A.1. Dependency Petitions Filed

A.3. Termination of Parental Rights Petitions Filed Arising out of Chapter 39

A.4. Adoption Petitions Filed Arising out of Chapter 39

### **Element 3: The Case Weight**

The third element of the weighted caseload model is referred to as the “case weight”, and each distinct case type has its own weight. This element represents the average amount of judge time required to handle cases of each type over the life of the case. Case weights capture the complexity of a specific case type and the contributions of a variety of court procedures, practices, and supplemental resources.

Over time, changes in statutory and case law, court rules, technology, and legal practice affect the amount of judicial work associated with resolving various types of cases. This part of the model, by design, needs periodic review and update to remain valid.

### **Element 4: Judicial Work Year**

Work year value, or the amount of time each judge has available for case-related work in one year. Currently this time is set, over all circuits, to 6.0 hours out of an 8.5-hour day (1 hour for lunch and 1.5 hours for non-case related work) and 215 working days per year. Within the workload model, this value helps convert the workload calculation expressed in minutes per year to the number of judges needed per year.

### **Element 5: Adjustment Modifiers**

Adjustment modifiers capture jurisdiction-specific characteristics not represented in the other model components. The weighted workload model assumes that there may be considerable variation in the practices or circumstances between circuits. Modifiers provide the opportunity to capture that variation as it relates to workload. This workshop will primarily be concerned with the identification of case activity and events that can be used to build additional adjustment modifiers specific to the juvenile dependency case type.

**Attachment 02**

**Determining Workload in Juvenile Dependency  
FY 2014-2016 Judicial Workload Assessment**

## **Determining Workload in Juvenile Dependency FY 2014-2016 Judicial Workload Assessment**

The OSCA contracted with the National Center for State Courts (NCSC) in 2014 to conduct a judicial workload assessment to update the weighted caseload models for circuit and county court judges. The model, by design, needs periodic review and update to remain valid. Over time, changes in statutory and case law, court rules, technology, and legal practice affect the amount of judicial work associated with resolving various types of cases.

### **Time Study**

The empirical foundation of the workload assessment is the judicial time study. From September 28 through October 25, 2015, a “time study” was conducted of all circuit and county judges, senior judges, magistrates, child support enforcement hearing officers and civil traffic infraction hearing officers throughout the state. Each individual was asked to track their time throughout the day and upload the information onto the NCSC website each evening.

The time study gathered data on the case-related and non-case-related work of circuit and county court judicial officers. Judicial time spent on all phases of the life of a case—from filing through post-judgment/post-disposition activity—was collected. The goal was to capture *all* of the time being spent on and off the bench by judicial officers and quasi-judicial officers such as senior judges, magistrates, child support enforcement hearing officers and civil traffic infraction hearing officers in handling individual cases before the court, as well as all non-case related judicial work (e.g., work-related travel or administration). This data provided an empirical benchmark of how much time judicial officers are currently spending on different types of cases, on different activities or events within those cases, and on non-case-related work.

#### *Level of Detail within the Time Study*

During the time study, judges were asked to track all of their work-related time. Judicial work was divided into case-related and non-case-related activities.

For each case-related activity, the judge will record the elapsed time, the case type category (i.e. Juvenile Dependency), and the case-related event (e.g., Pretrial, Non-trial/Uncontested Disposition, Bench Trial/Contested Disposition, Jury Trial, Post-Judgment/Post-Disposition). A description of each of the four relevant events for Juvenile Dependency case-related activity (Jury Trial excluded) follows.

#### **Pre-Trial**

Includes activities usually identified with the initiation of a filings in a juvenile dependency case, preparation of findings and orders related to pre-trial matters,

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arraignment, pre-trial hearings (a proceeding in which arguments, witnesses, or evidence are heard but no final disposition of the case is made), non-dispositive motions (a request to the court asking for a specified finding, decision, or order), and case conferences (any pre-trial meeting or discussion on issues relating to a case).

**Non-Trial/Uncontested Disposition**

Includes all on-bench and off-bench activity related to any non-trial proceeding that disposes of the case, all off-bench research and preparation related to a non-trial disposition, preparation of findings and orders related to a non-trial disposition, and dismissal or adjudication.

**Bench/Contested Trial**

Includes all on-bench and off-bench activity related to a trial in which the judge is the finder of fact, all off-bench research and preparation related to a bench trial, preparation of findings and orders related to bench trials, and dismissal or adjudication.

**Post-Judgment/Post-Disposition**

Includes all on-bench and off-bench activity that occurs after disposition of a case. Includes case planning conference and approval, permanency hearings, and dependency and adoption judicial review hearings.

The Time Study did not track individual cases, the number of hearings, or any other quantity of events occurring on a case. Rather, the study recorded the duration of time spent on activities in these pre-defined categories. Participants were instructed that multiple activities within the same case type category and event could be combined into a single entry on their time sheet. For example, a judge who conducts three misdemeanor cases with guilty pleas and sentencing for 60 minutes was permitted to enter this activity as a single 60-minute block of time, under the case type category of Misdemeanor and the case-related event of non-trial dispositions.

*Outcome of Time Study*

The four-week time study yielded tremendous success. Statewide, we achieved extremely high participation rates: approximately 1,250 court officers or 97% participated in the time study. The NCSC performed the statistical analysis of the data received from the time study. This data served as the foundation for updated case weights to more accurately reflect the workload of today's judiciary.

**Calculating Preliminary Case Weights**

Data from the time study was used to calculate new case weights for each case type.

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Case weights, when viewed as a composite series of events, can be computed as the average of event times weighted by the proportions of occurrence of those events.

Therefore, for a given case type  $i$  we have case weight,  $cw_i$

$$cw_i = case\_weight = \sum_{j=all\_events} p_j e_j$$

where  $p_j$  represents the proportion of occurrence for each event and  $e_j$  is the average time for that event.

## **Final Case Weights**

Additional steps of the methodology of the FY 2014-2016 Judicial Workload Assessment were aimed at arriving at final case weights for use in the weighted workload model.

A *Sufficiency of Time* survey was administered to all judges. This survey was designed to illicit feedback from the judges as to the amount of available time they have to process different types of cases, whether the time is sufficient given their dockets, and to identify any statutory or rule requirements that are imposing additional requirements on judge that may be impacting their overall workload. The survey was a key methodological step as allowed for the documentation of additional workload requirements imposed on the judiciary since the last update to the case weights.

Site visits to eight judicial circuits were conducted by the NCSC team and the OSCA. The circuits are representative of small, medium, large and extra-large circuits and included the First, Fourth, Fifth, Eighth, Tenth, Fourteenth, Fifteenth, and Seventeenth Circuits. Chief judges, trial court administrators, administrative judges, and judges from every major court division were interviewed.

A series of Subject Matter Expert panels comprised of experienced trial court judges met to review and tweak the preliminary case weights developed via the time study. The divisional groupings included circuit criminal, circuit civil, family/juvenile, probate, county criminal and county civil. After review and approval, the preliminary case weights were then forwarded to the Judicial Needs Assessment Committee (JNAC) for final approval.

Lastly, the JNAC met to review and adjust the final proposed case weights. The 41 member judge committee represented each circuit in Florida and provided executive policy direction on the Judicial Workload Assessment to the NCSC and the OSCA.

**Attachment 03**

**Summary Reporting System (SRS)  
Juvenile Dependency Data Collection Instrument**

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**Section II. Family Court  
 Part 3. Dependency**

A. Petitions Filed	
1. Dependency Petitions Filed	
2. Shelter Petitions Filed	
3. Termination of Parental Rights Petitions Filed Arising out of Chapter 39	
4. Adoption Petitions Filed Arising out of Chapter 39	
5. CINS/FINS Petitions Filed	
B. Petitions Disposed	
1. Dependency Petitions Disposed	
2. Shelter Petitions Disposed	
3. Termination of Parental Rights Petitions Disposed Arising out of Chapter 39	
4. Adoption Petitions Disposed Arising out of Chapter 39	
5. CINS/FINS Petitions Disposed	
C. Other Actions	
1. Reopened Cases	
2. Number of Judicial Review Hearings	
3. Number of Shelter Hearings	

**Attachment 04**

**Excerpt from Summary Reporting System (SRS) Manual  
Juvenile Dependency Reporting Instructions**

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**Number of Juvenile Petition Filing Events**

Please refer to section “A” of the SRS form which reports information associated with the number of juvenile petition filing events during the specified reporting period. For consistency in reporting, a filing event is said to occur as of the date the filing document is received and date/time stamped or electronic date/time stamped with the clerk of court.

- ✓ Report one filing event when multiple children are named on one petition. Report the number of petitions filed, not the number of children.
- ✓ Report a filing event when a petition for dependency is transferred from another court or jurisdiction to the reporting court for disposition purposes.
- ✓ Report dependency petitions filed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report petitions to remove the disabilities of non-age of minors filed pursuant to chapter 743, Florida Statutes.

**Note:** This statute captures Emancipation under chapter 743, Florida Statutes, for minors in Residential, Utility or Bank Account matters. All other Emancipation matters should be filed in regular Family Court under the “Other Family Court” case type.

- ✓ Report shelter petitions filed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report petitions for Termination of Parental Rights Arising Out of Chapter 39 filed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report petitions for Adoption Arising Out of Chapter 39 filed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report petitions for Children in Need of Services and Families in Need of Services (CINS/FINS) as provided under chapter 984, Florida Statutes.

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

- ✗ **DO NOT** report the number of children listed on a dependency petition. Report only the number of dependency petitions filed during the specified reporting period.
- ✗ **DO NOT** include petitions filed on children with cases previously reported as disposed that are resubmitted to the court (See Number of Reopen Events, page 3-19).

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- ✘ **DO NOT** report petitions for dependency transferred from another court or jurisdiction to the reporting court for supervision purposes (See Number of Reopen Events, page 3-19).

**Number of Juvenile Petition Disposition Events**

Please refer to section “B” of the SRS form which reports information associated with the number of juvenile petition disposition events during the specified reporting period. Petitions are to be reported as disposed after an order of disposition is filed with the clerk. For consistency in reporting, a disposition event is said to occur as of the date the signed order, judgment or other recordable action is received and date/time stamped or electronic date/time stamped with the clerk of court.

- ✓ Report only one disposition event when multiple children are named on one petition.
- ✓ Report the disposition event which occurs first, when there are multiple disposition events.
- ✓ Report a disposition event when a dependency case is consolidated into another case with other siblings.
- ✓ Report a disposition event when a petition is dismissed by the court or the Department of Children and Families.
- ✓ Report dependency petitions disposed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report shelter petitions disposed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report petitions for Termination of Parental Rights Arising Out of Chapter 39 disposed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report petitions for Adoption Arising Out of Chapter 39 disposed pursuant to chapter 39, Florida Statutes, during the reporting period.
- ✓ Report petitions for Children in Need of Services and Families in Need of Services (CINS/FINS) disposed as provided under chapter 984, Florida Statutes.

**Number of Reopen Events**

Please refer to section “C1” of the SRS form which reports information associated with the number of reopen events during the specified reporting period. For consistency in reporting, a reopen event occurs when a motion, pleading or other recordable action is received and date/time stamped or electronic date/time stamped with the clerk of court on a case that requires additional court activity after a disposition event has closed the case.

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- ✓ Report motions and petitions filed subsequent to the disposition of a case. If several motions or petitions are filed on the same day for the same case, report only one reopen event. However, if several motions or petitions are filed during the reporting period on different days for the same case, each motion or petition is reported as a reopen event.
- ✓ Examples of reopen events include, but are not limited to the following motions or petitions for:
  - Extraordinary relief;
  - Rehearings;
  - Medical or psychiatric treatment;
  - Change of custody;
  - Order to show cause;
  - Attorney's fees; and
  - Non-fulfillment of performance agreement.
- ✓ Report cases transferred for supervision purposes if they are reactivated or resubmitted to the court for judicial action.

The following item is a common reporting error. Please check this item to ensure that the SRS report **does not** include this reporting error.

- ✗ **DO NOT** report petitions for termination of parental rights as reopen events. Petitions for termination of parental rights should be reported in section “A3” of the SRS reporting form as a juvenile petition filing event for the Dependency division.

### **Number of Judicial Review Hearings**

Please refer to section “C2” of the SRS form which reports information associated with the number of judicial review hearings/permanency review hearings held during the specified reporting period.

- ✓ Report the number of hearings before a judge or general magistrate whose purpose is to determine the status of children remaining in foster care or any status of a child pursuant to section 39.701, Florida Statutes.

### **Number of Shelter Hearings**

Please refer to section “C3” of the SRS form which reports information associated with the number of shelter hearings held during the specified reporting period.

- ✓ Report the number of hearings held to determine whether a child is to be sheltered, continued to be sheltered or reunited while proceedings are pending in the case pursuant to section 39.402, Florida Statutes.

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**Number of Reclosure Events**

Report in the appropriate case type, the number of cases in reopen status that are closed for court action on the date the motion, pleading or other filing that reopened the case has been resolved by the judicial decision, order or other recordable action.

**Note:** The reclosure event definition is being provided for informational purposes only. At this time reclosure events are not to be reported for SRS purposes.

**Case Type Determinations**

The following list includes the types of proceedings that are included for each SRS case type. To select the correct SRS case type you should follow these procedures:

- ✓ Review each petition or complaint and determine the proper case type by identifying the primary issue involved. If a cover sheet is required or mandated, refer to the completed cover sheet to help determine the proper case type to report for the filing event
- ✓ Select the appropriate SRS case type for the matters indicated within the petition or complaint.
- ✓ Report the petition or complaint under the correct SRS case type on the Family Court (Juvenile) SRS form.
- ✓ There are a number of cases that come into the clerk's office that do not require judicial workload and therefore should not be counted for SRS purposes. Examples of these types of cases include, but are not limited to the following:
  - Truancy petitions filed pursuant to section 984.151, Florida Statutes; and
  - Department of Children and Families Dependency Petitions for Injunction pursuant to Chapter 39, Florida Statutes.

***Dependency***

- ✓ All matters relating to children who have been abandoned, abused, neglected by parents or other custodian, children who need to be sheltered, children surrendered for the purpose of adoption, or children whose parents desire to terminate parental rights pursuant to Chapter 39, Florida Statutes; or children in need of services pursuant to Chapter 984, Florida Statutes.

***Shelter***

- ✓ All matters relating to shelter petitions pursuant to Chapter 39, Florida Statutes.

***Termination of Parental Rights Arising Out of Chapter 39***

- ✓ All matters relating to termination of parental rights pursuant to Chapter 39, Florida Statutes.

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***Adoption Arising Out of Chapter 39***

- ✓ All matters relating to adoption pursuant to Chapter 39, Florida Statutes.

***CINS/FINS***

- ✓ All matters relating to children in need of services (and families in need of services) pursuant to Chapter 984, Florida Statutes.

**Attachment 05**

**AOSC 14-20 In Re: Trial Court Case-Event Definitional  
Framework**

# Supreme Court of Florida

No. AOSC14-20

IN RE: TRIAL COURT CASE-EVENT DEFINITIONAL FRAMEWORK

## ADMINISTRATIVE ORDER

The judicial branch is committed to improving the administration of justice and recognizes the need to establish a consistent and unambiguous environment for the tracking and recording of trial court case activity as an integral element of this effort. Accordingly, the Court hereby adopts the attached Case-Event Definitional Framework (hereinafter “Framework”), which is incorporated herein by reference and shall be effective upon the signing of this order.

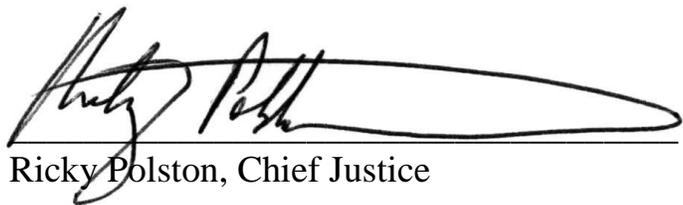
Adoption of the Framework was recommended by the Commission on Trial Court Performance and Accountability and is consistent with In re: Commission on Trial Court Performance and Accountability, Fla. Admin. Order No. AOSC12-25 (July 2, 2012), and the report entitled Trial Court Integrated Management Solution (TIMS): Identifying Key Case and Workload Data and Establishing Uniform Definitions for Improving Automation of Florida’s Trial Courts.

Additionally, the Framework has been deployed in the Fiscal Year 2013-2014

Mortgage Foreclosure Backlog Reduction Initiative and has demonstrated its utility in trial court activity tracking.

The Office of the State Courts Administrator is hereby charged with maintaining and updating the Framework in accordance with rule 2.245(a), Florida Rules of Judicial Administration. The Office of the State Courts Administrator is also directed to take appropriate action to implement this Framework as an intrinsic element of new trial court case activity data management projects, including the Integrated Trial Court Adjudication System, and to retrofit, as necessary and practical, existing trial court data collection systems such as the Summary Reporting System and the Criminal Transaction System in a reasonable time frame commensurate with available resources and the expected benefits of such actions.

DONE AND ORDERED at Tallahassee, Florida, on March 26, 2014.

  
Ricky Polston, Chief Justice

ATTEST:

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



## Trial Court Case Event Definitional Framework

This framework provides a clear and unambiguous description of certain key events in adjudication of a case and provides a foundational structure for recording and tracking case activity within the trial courts. The framework is not all inclusive of every important event in the life of a case and is intended to be expanded as the informational needs of the court system evolve.

- **Filing event**: A filing event occurs when an action is brought before the court as the result of a petition, pleading, complaint or any other recordable<sup>1</sup> action sufficient to begin a case. This definition would include an arrest or summons or other action charging an individual with a crime, as well as the filing of any other document or action recorded with the court authorized to initiate a case. The initiation of a case by whatever means is referred to as a filing event.
- **Open case**: A case that has one or more issues outstanding that require active resolution by the court.
- **Disposition event**: A disposition event has occurred when a case is closed for court activity as a result of judicial decision, order or other recordable action that provides resolution, by the court, on the issues raised by and subsequent to the filing event.
- **Closed case**: A case that has had all issues raised by and subsequent to the filing event resolved and no further action of the court is required.
- **Reopen event**: A reopen event occurs when a motion, pleading or other recordable action occurs on a case that requires additional court activity after a disposition event has closed the case for court activity. Note that a reopen event involves at least one action and that additional post-judgment actions may occur before the case is reclosed.
- **Reopened case**: A case that has one or more post-judgment actions outstanding that require active resolution by the court.
- **Reclosure event**: A reclosure event occurs when the last (or only) post-judgment action has been resolved by judicial decision, order or other recordable action, thereby completing court proceedings on the issues raised by and since the reopen event occurred.
- **Reclosed case**: A reopened case that has had all post-judgment actions resolved and no further action of the court is required.

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<sup>1</sup> Recordable, in this guideline, means those happenings relating to court activity that would appear on a court docket or otherwise require the making of an historical record by the clerk of courts in their official capacity.

With the addition of these definitions, there are six statuses in which a case can be placed as the case moves from initiation to resolution:

- **Active** - A case is considered in an active status when the court is engaged in activity directly related to the resolution of the specific matters and issues associated with the case. This status applies to open cases in the period between a filing and disposition event.
- **Inactive** - A case is considered in an inactive status when court activity on that case is suspended pending resolution of an issue external to the court or that does not directly involve the court in resolving that issue; for example, awaiting the results of an appeal or the disposition of a related case. A case placed in an inactive status is not closed and does not need to be reopened when the case returns to active status, regardless of the length of time involved. This status applies to open cases in the period between a filing and disposition event.
- **Closed** - A case is considered to be closed, or disposed, (that is, in a closed status) for court activity on the date of the judicial decision, order or other recordable action that provides resolution to the last (or all) of the matters brought before the court as a consequence of the filing event that initiated the case. The court, then, has no further action to take on the case. This status identifies a previously open case that has been resolved by the courts and applies to the period between the disposition event and the first reopen event.
- **Reopened Active** - A case will be considered to be in a reopened status (either active or inactive), from the date that the first post-judgment motion/pleading is filed or other action occurs that reopens a case for court activity (i.e. the reopen event) until the date of the last judicial decision/order resolving all overlapping court proceedings (i.e. the reopen closure event). Each period in which a case is reported as in a reopened status may involve one or more overlapping post-judgment actions. A case is considered to be in a reopened active status when one or more post-judgment actions are pending and the court is actively engaged in their resolution. This status identifies a reopened case and applies to the period between the initiating reopen event and the final reclosure event as described.
- **Reopened Inactive** - A case is considered to be in a reopened inactive status if the activity on all outstanding post-judgment actions is held in abeyance pending resolution of some issue external to the court or that does not directly involve the court in resolving that issue. In this circumstance, the court is not actively working to resolve the matter(s). This status identifies a reopened case and applies to the period between the initiating reopen event and the final reclosure event as described.

- **Reclosed** - A case that has had one or more post-judgment actions will be considered reclosed, or re-disposed, (that is, in a reclosed status) for court activity on the date of the judicial decision, order or other recordable action that provides resolution to the last (or all) of the matters brought before the court since the reopen event occurred. The court, then, has no further action to take on the case. This status identifies a previously reopened case with additional matters that has been resolved by the courts and applies to the period between the reclosure event and the next reopen event.

### **Additional Guidelines**

For consistency in reporting, an event or status change is said to occur as of the date the order is signed, the clerk document date/time stamp or the electronic date/time stamp associated with the action as appropriate.

Recordable, in this guideline, means those happenings relating to court activity that would appear on a court docket or otherwise require the making of an historical record by the clerk of courts in their official capacity.

The definition of the closure events (disposition and reopen) denote that the court has no further action to take on a case. This definition of closure does not indicate the clerk of courts has completed all of their required activity with regards to the case, only that the court has rendered judgment on the matters of the case and will take no further action on the case (excluding planned review or scheduled future action).

Note also that a case status cannot be reported as a closure (closed or reclosed) while the case remains in an inactive status. The act of closing a case for whatever reason is indicative of significant activity on the case. Therefore, an inactive case that is being closed for any reason including administratively, should be transitioned to the appropriate active status (active or reopened active) first, then followed by the corresponding closure status.

Upon initiation, an open case is considered to be in an active status. If, at some point in the adjudication process, the case can no longer be actively advanced, the case may be moved to inactive status. Once work can begin again on the case, it is returned to active status. This cycle may be repeated any number of times throughout the life of the case until the final disposition event where the case is moved to closed status. At this point, the case is no longer considered open.

From the date of disposition, subsequent filings or other recordable actions (post-judgment) will indicate that the case has been reopened. A case reopen event represents a block of time in which one or more overlapping post-judgment actions, such as motions, petitions, or reviews, are being actively addressed by the court. When the last post-judgment action in that block is resolved, the case reopen event is closed and the case is moved to reclosed status.

When considered as a block of one or more post-judgment actions, a reopen event moves a previously closed case into a reopened active status. This starts a case reopen block for tracking purposes. A subsequent, overlapping post-judgment action for a case already in reopened active status would not change the case's status. It simply becomes another matter to be resolved by the court for this case reopen block. It is possible that activity on the case may stop due to circumstances out of the court's control. In this instance, the case remains reopened but the status would change to reopened inactive. Subsequent activity on the matters by the court would change the status back to reopened active, where it would remain until returned to reopen inactive status or reclosed.

Each post-judgment action (from reopen event to reclosure event) should be tracked individually. This ensures the necessary granularity within the framework. Different data collection systems may require these actions to be reported in different ways depending on the purpose of that data collection. For example, reporting for case age statistics may require that each post-judgment action be reported as they occur. Reporting for judicial workload (e.g., Summary Reporting System), may consider case reopen blocks (from case reopen event to case reclosed event) and not the individual post-judgment actions that make up the block. This flexibility in the framework is necessary to reconcile reporting within existing data collection systems and to ensure consistent reporting for the future.

### **Example**

A motion to reopen a case previously disposed is filed on June 15. The case is placed in a reopened active status and a case reopen event block begins. On June 20, a second motion for modification is filed. This post-judgment action while tracked separately, is part of the existing case reopen event block. On June 23, the first motion is disposed. The case remains in a reopened active status because the second motion has not been resolved. On July 3, the second motion is resolved and the case is placed in a reclosed status. Although there are two post-judgment actions, there is only one case reopen block. If third motion is filed subsequent to July 3, say on July 15, the case would then be returned to reopened active status, pending resolution of that reopen event and a second case reopen block would begin.