Commission on Trial Court Performance and Accountability
Conference Call
October 12, 2017
3:00 p.m. - 4:00 p.m. EST

Minutes


Members absent: Justice Jorge Labarga (Liaison)

Staff and others in attendance: Patty Harris, Lindsay Hafford, Victor McKay, Arlene Johnson, Susan Marvin, PJ Stockdale, Blan Teagle, Maggie Lewis, Tad David, Jennifer Grandal, Jeffrey Morris, and Judge Melanie May

I. Welcome and Introductions Judge Diana Moreland, Chair

Judge Moreland called the meeting to order at 3:00 p.m.

II. Approval of the June 7, 2017 Minutes (Decision Needed)

Judge Moreland asked if there was a motion to approve the June 7, 2017, meeting minutes. Judge Smiley moved to approve the minutes. The motion was seconded by Judge Bailey and the minutes were approved unanimously without modification.

III. Referral Letter for Mediation Fees/Civil Indigent Status (Decision Needed)

The Alternative Dispute Resolution (ADR) Rules and Policy Committee recently recommended changes to the collection of family mediation fees by trial court ADR programs. This recommendation was spurred by the ADR Directors’ observation that parties may not always disclose all income and/or assets on financial affidavits. The Committee submitted a report to the Supreme Court in 2016 and, upon review, the Court asked the Committee to engage the TCP&A to determine if it still stands by recommendations pertaining to the court-connected mediation fee model found in their 2008 report, Recommendations for Alternative Dispute Resolution Services in Florida’s Trial Courts.

Staff of the Dispute Resolution Center administered a survey to the circuit mediation programs on the 2008 standards and best practices that pertain to the mediation fee collection process and TCP&A staff provided an analysis of the survey results along with data on mediation events, and anticipated versus collected revenue. The data indicated low policy adoption rates for some of the 2008 recommendations and members discussed potential causes and solutions.
Judge Masters moved to direct staff to work with the Alternative Dispute Resolution (ADR) Directors to review the UDR event data for possible errors and to develop solutions to improve policy implementation rates with the expectation that once the outreach is complete, the Commission would provide a letter to the chair of the ADR Committee outlining their review outcomes. The letter would also address any necessary modifications to the recommendations contained in the 2008 report, Recommendations for Alternative Dispute Resolution Services in Florida’s Trial Courts. Judge Hulslander seconded the motion and the motion passed unanimously.

Lindsay Hafford noted that staff of the ADR Rules and Policy Committee would be providing a status update to the Court on December 15, 2017, and that information regarding this outreach may be part of their update.

IV. Updated Implementation Timeline for the Uniform Case Reporting Project

Judge Moreland introduced this topic and summarized that the Uniform Case Reporting (UCR) project has recently completed a proof of concept review with the Eighth Judicial Circuit successfully determining Bradford County’s UCR data may be submitted with a replica server. Hillsborough and Brevard counties also successfully demonstrated UCR data for the Circuit Civil division could be submitted using a web service. In addition, on July 28, 2017, the Supreme Court revised the implementation timeline for UCR to enable all counties to have additional time to prepare for the transition to UCR reporting.

PK Jameson sent a memorandum on July 28 informing all 67 clerks of court of the revised implementation schedule. The memorandum advised pilot counties to continue working with the OSCA to complete the transition to UCR reporting and directed the OSCA to begin the transition of the next 20 clerks of court to begin reporting for the Circuit Civil division. Currently, OSCA is working with Putnam County to report their UCR using a replica server. Subsequent counties will follow, with full UCR reporting by all clerks of court and all divisions expected by 2020. The updated Version 1.3.0 of the Uniform Case Reporting Project Data Collection Specification is available online at www.flcourts.org/jdms under the Uniform Case Reporting Project subheading.

Judge Alessandroni noted that the pilot, while limited in terms of the number of data elements, had been successful and that OSCA now has software available to receive the full UCR data and will be going back to those test counties to implement a data transmission for civil cases.

V. Status Update on the Performance Management Workgroup and the Statewide Uniform Trial Court Caseload Reporting System

Judge Moreland noted that the Performance Management Workgroup had been reconvened, with Judge Stone serving as chair, to address setting benchmarks and goals for measuring three critical measures: Time to Disposition, Clearance Rates, and Age of Active Pending Cases, and to identify other measures for potential use at the state and local levels. The Workgroup is revitalizing discussions about performance management and the challenges our court system faces to implement a useful performance framework.
Judge Stone is also serving on another workgroup, an advisory panel to assist OSCA in responding to proviso language outlined in the current General Appropriations Act. The proviso requires OSCA to work with the Florida Clerks of Court Operations Corporation (CCOC) and the FCCC to develop common definitions for all clerks and courts to use to ensure uniformity in reporting.

Patty Harris noted that Judge Margaret Steinbeck provided an update on the project to the House Judiciary Committee on October 10, 2017, stating that the proviso directs OSCA to develop a plan for caseload data collection and reporting. There are system capabilities that are required as part of the proviso, such as 1) identifying the workload of each judge in every circuit; 2) providing aggregate data by division and circuit, with search capability; 3) including an itemized estimate of the expenses based on existing appropriations to reallocate towards this effort; and 4) coordinating with the clerks to develop uniform data definitions. Judge Steinbeck also noted there was a technical advisory team to guide the plan from the local perspective, a funding committee to consider the use of existing appropriations for the project, and a staff team working with the clerks to clarify data elements and definitions.

Judge Stone requested that members reach out to other trial court judges to gather input on these topics. Judge Johnson suggested talking points may be helpful to use when conducting the outreach and Patty Harris agreed staff could provide them.

VI. Florida Adult Drug Court Best Practice Standards, June 2017 – Judge Melanie May, Chair of the Problem Solving Court Fidelity Workgroup

Judge Moreland introduced the recently-published Florida Adult Drug Court Best Practice Standards, and welcomed Judge Melanie May, Chair of the Problem-Solving Courts Fidelity Workgroup (a workgroup of the Supreme Court’s Task Force on Substance Abuse and Mental Health Issues in the Courts), to discuss the standards and how they were developed. Judge May acknowledged the importance of having standards and best practices for drug courts and, after reviewing the national standards created by the National Association of Drug Court Professionals, the Workgroup developed ten adult drug court best practice and standards categories that have been approved by the Supreme Court. Going forward, the Workgroup is planning to develop a certification process to ensure compliance with the new standards. Next year, the goal of the Workgroup is to begin training and educating drug court teams to get them familiar with the standards.

VII. Other Business

The next meeting is scheduled as a conference call on January 25, 2018.

There being no further business, the meeting was adjourned at 4:10 p.m.