Commission on Trial Court Performance and Accountability  
Court Statistics and Workload Committee  
Conference Call  
December 11, 2018  
12:00 p.m. - 1:00 p.m. EST

Minutes

Members in attendance:  
Judge Paul Alessandroni, Fred Buhl, Noel Chessman, Judge Janeice T. Martin, Judge Ellen S. Masters, Judge Michael S. Orfinger, Paula S. O’Neil, Ph.D., Kathleen R. Pugh, Sharon Robertson, Judge Donald Scaglione, Philip G. Schlissel, Grant Slayden, Judge Elijah Smiley, Judge Scott Stephens, and Judge William F. Stone

Staff in attendance:  
Arlene Johnson, Lindsay Hafford, Victor McKay, P.J. Stockdale, Shelley Kaus, Nushrat Alam, and Jonathan Moody

I. Welcome and Introductions by Judge Paul Alessandroni, Chair

Judge Alessandroni called the meeting to order at 12:00 p.m. He announced that the Court Statistics and Workload Committee (CSWC) has 13 returning members. The only member from the last term not continuing to serve is Judge Ilona Holmes, as she is retiring this month. Judge Alessandroni noted that, as one of the longest-serving members of the CSWC, Judge Holmes served as an active and valuable member of this committee since its inception. Judge Alessandroni also welcomed two new members to CSWC; Chief Judge Elijah Smiley of the Fourteenth Circuit, and Judge Janeice Martin from Collier County. Both new members also serve on the Commission on Trial Court Performance & Accountability (TCP&A).

II. Committee Housekeeping

A. Approval of the April 19, 2018 Minutes (Decision Needed)

Shelley Kaus introduced the minutes from the previous meeting. Judge Stephens moved to approve the minutes. Judge Stone seconded the motion and the minutes were approved without modification.

B. Committee Charges for the 2018-2020 Term

Lindsay Hafford reviewed the Committee’s charges for the 2018-2020 term. She referenced a letter, dated September 14, 2018, written by Judge Diana Moreland, Chair of Commission on Trial Court Performance and Accountability (TCP&A), which re-established the Court Statistics and Workload Committee (CSWC) and appointed Judge Alessandroni as Chair.
In her letter, Judge Moreland expressed how the technical management of court data is essential to the purpose of the TCP&A and is an integral element for the successful completion of charges one, two, and five of AOSC18-19. Further, the CSWC was established to provide guidance and direction on data management issues as necessary to maintain the integrity of data collection and reporting of court and resource activity data through appropriate data reporting systems such as the Uniform Case Reporting system, the Summary Reporting System, the Uniform Data Reporting System, and other data collection efforts relevant to court management. This includes associated analytical products such as the Weighted Caseload Model, case age, and other case inventory statistics, and work related to the Judicial Data Management Services component of the Integrated Trial Court Adjudication Systems project. Judge Moreland’s letter appointed the members of CSWC to a term that begins on July 1, 2018 and expires on June 30, 2020.

III. Issues of Interest

A. Performance Management Workgroup

Victor McKay briefed members on the TCP&A’s Performance Management Workgroup (Workgroup). He reminded members that the Workgroup was originally created in the 2014-2016 term with the purpose of assisting in developing recommendations to the Supreme Court on a performance management framework for the trial courts. For the 2016-2018 term, the Supreme Court, through Administrative Order AOSC16-39, charged the Workgroup to:

1) Establish baseline data and benchmarks for measuring Time to Disposition, Clearance Rate, and Age of Active Pending Caseload, upon collection of accurate data;
2) Develop a process for correcting court data problems and errors;
3) Prioritize and begin to develop administrative performance criteria for the essential elements of the trial courts, as provided for under section 29.004, Florida Statutes;
4) Review trial court time standards as a means to identify further performance indicators; and
5) If items 1) through 4) have been achieved, identify new performance indicators and measures/dashboards for integrating performance measures into existing operational policies and procedures.

Mr. McKay noted that, during the 2016-2018 term, the Workgroup discussed issues such as the emphasis on efficiency in measuring performance and the unintended impact on effectiveness; the overall low confidence in available court data; the minimal use of time standards, as set in rule, due to the measures being fixed over a broad set of case categories; the creation of an annual judge report with case weights to more accurately represent judge workload; and the need to develop a plan for addressing data quality issues in the court system. As a result of these discussions, the Workgroup developed the report, Recommendations to
Improve Performance Management for Florida’s Trial Courts, which included the following five recommendations:

1) Establish a data quality workgroup, in the 2018-2020 term, dedicated to addressing the accuracy of court data, thereby improving confidence in the data. In the interim, temporarily postpone the establishment of baseline data and benchmarks for measuring Time to Disposition, Clearance Rates, and Age of Active Pending Caseload. Until data quality issues can be resolved, reports compiled from current available data should be footnoted to express the low confidence in the data.

2) Continue work on the Trial Court Performance Management Framework designate the essential element, case management, as the first priority of study and development of performance criteria.

3) Evaluate the starting point for trial court time standards to determine if time standards need to begin once a judicial action commences as opposed to the indictment, information, petition, or complaint filing date.

4) Consider new time standards for intermediate court events such as wait times for a hearing, a trial, or a ruling; and number of cancellations, continuances, and stays as party created events that prevent judges from progressing cases.

5) Consider the National Center for State Court’s technical requirements regarding case triage, for further Court Application Processing System (CAPS) standards.

Mr. McKay informed the Committee that the report was approved by the TCP&A on June 22, 2018 and was provided to the Supreme Court for consideration. On October 31, 2018, the Court considered the report and adopted the recommendations with modifications.

B. Workgroup on County Court Jurisdiction

Lindsay Hafford briefed the Committee that, on August 1, 2018, the Supreme Court issued Administrative Order AOSC18-39, creating the Work Group on County Court Jurisdiction (Work Group) within the Judicial Management Council (JMC). The Court directed the Work Group to review the county court and small claims jurisdictional limits and examine the operational issues that would be affected if those limits were to be adjusted. The Work Group limited their review to county civil jurisdiction and did not fully consider county criminal court jurisdictional issues, as those criminal issues appeared beyond the scope of the administrative order. The Administrative Order included three charges:

- Charge One: Evaluate whether the county court jurisdiction should be adjusted, the appropriate amount of any such adjustment, and whether there should be periodic adjustments in the future. The Work Group should also examine operational issues associated with a change in the jurisdiction of county courts and the related effects of any such change, including but not limited to consideration of facilities resources, docket management, and assignment of cases.
• **Charge Two:** Examine appellate operational and structural issues that would be impacted by adjustments to county court jurisdiction, including but not limited to consideration of whether appeals on cases with amounts in controversy exceeding $15,000 should continue to be adjudicated by the district courts of appeal.

• **Charge Three:** Evaluate whether the small claims jurisdiction limit should be adjusted, the appropriate amount of any such adjustment and whether there should be periodic adjustments in the future. The Work Group should also explore any technology or other options that may enhance access to justice in small claims cases. The Work Group should make recommendations for next steps, which may include one or more pilot projects including but not limited to online dispute resolution or other process improvement measures.

To address the charges, the Work Group was divided into three subcommittees, one for each charge, who examined the issues over a series of conference calls taking place throughout the month of September and into October. The Work Group developed recommendations in response to each charge and provided their report to the JMC on November 30, 2018. Ms. Hafford provided a comprehensive overview of the recommendations and noted that, if approved by the JMC, the report will be advanced to the Court for consideration.

**C. Court Application Processing System (CAPS) Functional Requirements**

PJ Stockdale briefed the Committee that, in 2016, the CSWC requested the FCTC Certification Subcommittee (Subcommittee) consider a number of enhancements to the CAPS Function Requirements document. The enhancements included additional tools for judges and case managers to identify and notify clerks of changes or errors in case status and activity (Capabilities 1 & 2), refinements to remove duplicative standards in reporting (Capability 4) and infrastructure to facilitate future expansion (Capabilities 3 & 5) of case activity data exchange. Following this request, Judge Alessandroni gave several presentations to the Subcommittee. In March 2017, the Subcommittee approved capability 4 and noted that capability 5 was already present in the standard. In May 2018, members of the Certification Subcommittee, led by Noel Chessman, began work on the issues presented. The revisions have been incorporated in a draft version 5 of the CAPS Functional Requirements document. The Subcommittee also removed their previous definitions of clearance rate, pending caseload, and time to disposition which were slightly different than the definitions adopted by the CSWC in 2012. The understanding is that the court system should use one consistent definition and calculation method. The document was reviewed the full FCTC at their November 2, 2018 meeting and is currently scheduled for a second reading at the February 2019 meeting before a final vote on adoption is taken.
D. FCTC CMS Technical and Functional Standards Subcommittee

PJ Stockdale briefed the Committee that, in February 2018, the FCTC establish a Case Maintenance System Standards Workgroup functional and technical standard for the clerks’ case maintenance systems. Judge Lisa Munyon, Chair of the FCTC, appointed the Honorable Josephine Gagliardi to chair this Workgroup. Members of CSWC were invited to join this Workgroup to represent the statistical and measurement requirements of the court system. Those members include Judge Alessandroni, Judge Stone, Fred Buhl, and Noel Chessman. PJ Stockdale is participating on behalf of the OSCA. The Workgroup met on September 4 and September 24, 2018 to discuss issues related to the scope and details of the Workgroup, to get a better understanding on the work of the court system in general and the Court Statistics and Workload Committee with respect to the data and reporting needs of the court including a discussion of the Trial Court Data Model, the Case Event Definitional Framework, and Uniform Case Reporting. Also discussed was a possible framework for the Workgroup which includes setting meaningful technical standards and considering what the court system needs from the clerk CMS’ in the following areas.

- Clerk only
  - Elements and capabilities that the clerk needs for their daily operation
    - Court system has no interest in these as long as do not impact court requirements
    - No need to establish standards for clerk CMS
- Clerk/Court related elements
  - Events, elements and capabilities that the clerk may record on a case that, while the court is not directly involved, may be important for the court to access
    - May need to set standards for access and/or availability
- Court related
  - Essential reports (data exchanges) that enable the transformation of case activity data into useful information
    - primary reports
      - number of filings and nature of filings
      - number of disposition and nature
    - secondary reports
    - performance measures
    - other reports and statistics
      - civil disposition form
      - final disposition form
  - Case management functions
  - Requires the most thoughtful standards
IV. Uniform Case Reporting (UCR) Project

PJ Stockdale gave an update on the Uniform Case Reporting (UCR) Project. He informed the members that the transition to UCR reporting has been segmented by division of court with circuit civil reporting required as of July 1, 2018. Reporting has two phases. Phase I involves the technical testing of clerk systems for data transmission, and Phase II involves verification of case activity data by both clerks of court and circuits. The pilot counties (Hillsborough & Brevard) completed Phase I of their transition in late 2017-early 2018. Since them, six additional counties have completed Phase I of their UCR transition for the circuit civil division in July – October 2018. This brings the total counties capable of reporting circuit civil to UCR to eight. These counties are now beginning their respective Phase II validation efforts. Collier and Brevard counties are preparing for the final stage of Phase II validation for circuit civil data.

Mr. Stockdale noted that, in the first stage of Phase II, the clerk of court verifies that the data received and processed by the OSCA is an accurate representation of case activity. In this next stage, OSCA staff will work with circuit judges and trial court administration to verify the case activity data from a circuit perspective. Currently, nine additional counties are in Phase I of the transition process. June 30, 2018 was the deadline for completing Phase I of each county’s transition for the circuit civil division. The majority of counties requested an extension from the Supreme Court for that division’s deadline and for the respective deadlines of other divisions of court.

Extension requests have been considered on an individual county basis. Supreme Court Administrative Orders 18-18 and 18-31 granted extensions to most of the clerks of court for circuit civil reporting. On August 13, 2018, the Office of the State Courts Administrator issued a Technical Memorandum to provide minor enhancements and corrections to the current version of the specification. OSCA staff is currently working on the next update to the specification to include two additional UCR event records to enable clerks of court to report specific petition and hearing events. This will enable more detailed tracking of activity on juvenile cases, monitor activity involving risk protection orders, as well as establish the basic event tool set needed to support tracking of activity in problem solving courts.

V. JDMS Visual Display of Data

Staff briefed the Committee that the JDMS team had been working for several months with the OSCA’s Office of Information Technology and General Services units to evaluate and purchase an enterprise visual display platform. In June of 2018, OSCA purchased licenses for the Tableau data visualization software. Staff is still working out the licensing requirements for access. In October 2018, the JDMS project team completed development of a beta version of a Uniform Case Reporting dashboard. This dashboard encompasses the reports and visualizations developed last year for the Statewide Uniform Trial Court Caseload Reporting System plan.

CSWC will have the opportunity to provide feedback on the first iteration of this dashboard and to recommend enhancements that could benefit the users as part of the
CSWC’s oversight of JDMS. A preview of this dashboard was made to the Judicial Management Council to showcase the UCR data received from the eight counties who have completed Phase I of their Circuit Civil transition. Additionally, a similar preview was offered to chief judges in late October to demonstrate measures and statistics calculated from the UCR data, along with a demonstration of the dashboard’s capabilities. This presentation was made in advance of the deadline for the clerks of court who should be reaching the circuit review stage of UCR transition.

VI. Other Business

Staff noted they would contact the members in anticipation of the next meeting. There being no other business, the meeting was adjourned at 1:26 p.m.