

Texas Judicial Needs Assessment Glossary

Case Types (for detailed definitions of the following case types, click [here](#).)

1. Felony Group A (includes: capital murder, murder, assault, attempted murder, sexual assault of an adult, indecency with or sexual assault of a child, robbery/aggravated robbery, arson)
2. Felony Group B (includes: burglary (all felony levels), theft, auto theft, drug sale/manufacture, drug possession, felony DWI, other felony)
3. Misdemeanor
4. Injury or damage involving vehicle
5. Injury or damage other than vehicle
6. Malpractice
7. Product liability
8. Contract
9. Other civil
10. Real property
11. Administrative law
12. Government
13. Divorce with children
14. Divorce without children
15. Protective orders: non-divorce
16. IV-D paternity
17. IV-D support order established
18. Parent-child - no divorce
19. Other family law matters
20. Child protection cases
21. Modifications
22. Enforcements
23. Delinquency
24. CINS
25. Probate/Guardianship

Case-Related Events

For time studies based on reasonably fine-grained observations of case-related judicial officers' time during the work day, we organize the observations into four major groupings. These are

1. Pre-trial matters
2. Non-trial dispositions
3. Trials
4. Post-judgment activity

Each of the groupings is briefly described and illustrated below with typical examples of work.

1. Pre-trial matters

Pre-trial matters are all of the routine matters that occur in cases before a disposition of some kind is reached and/or before a case comes to trial. The controlling assumption here is that 100% of all cases would have some activity in this category.

Examples include:

- Initial/first appearance
- Non-dispositive pre-trial motions
- Probable cause
- Pre-trial conferences of any kind
- Pre-indictment hearing
- Scheduling conference
- Arraignment
- Bail
- Issuing warrants
- Preliminary hearing
- Determination/detention hearings
- Subsequent detention hearings
- Temporary injunctions
- Temporary restraining orders
- Hearings on temporary custody or support
- Emergency or ex parte order for removal of child
- Certification and transfer hearings
- Other temporary financial hearings in domestic cases
- Review of petitions
- Any work by the judicial officer related to research, case review, writing findings related to motions at this stage of the case is counted here.

2. Non-trial disposition

The grouping is intended to capture the time spent in dispositive hearings and related work where a trial is not required (i.e., settled cases, summary judgments that fully dispose of a case, etc.). The unifying factor of work in this group is that the matters will not be determined by a bench or jury trial. Most frequently hearings in this group will result in both findings and orders, but the group will also include hearings where adjudication and disposition have been bifurcated. Both "phases" of the disposition should be counted in this group in the time study.

Examples include:

- Plea and sentence
- Plea hearings
- Agreed judgments
- Divorce dissolution/divorce hearings (non-trial)
- Juvenile court adjudicatory hearings (non-trial)
- Juvenile court disposition hearings (non-trial)
- Adoption decrees
- Order establishing guardianship
- Various orders settling probate matters (non-trial)
- Default judgments

- Summary judgments
- Any work by the judicial officer related to research, case review, writing findings and conclusions on non-trial dispositions.

3. Trial

This grouping is reserved for work by judicial officers on matters that are counted as trials in state court statistical reporting. This includes cases tried before the judge alone (“bench trials”), as well as jury trials.

Examples include:

- Bench trial: counted as a trial when the case is called (includes all time related to in-trial activities). Includes criminal trials, civil trials, contested divorces, contested adjudicatory and/or disposition hearings in juvenile cases, contested probate matters, etc.
- Jury trial: counted as a trial when a jury is empanelled. Includes jury selection, arguments and evidence, jury deliberation, jury polling, announcement of verdict.
- Any work by the judicial officer related to research, case review, writing findings of fact and conclusions of law on specific cases that have gone to trial is counted.
- Sentencing hearing following trial

4. Post-judgment (or Post-verdict)

Post-judgment includes all the work related to cases that are “reopened” after a judgment has been previously entered. These proceedings typically occur in family and juvenile cases and in civil, criminal, CI cases and guardianships. Often included are hearings required to enforce or modify any judgment.

Examples include:

- Probation violation hearing or Probation review (adult or juvenile)
- Juvenile petitions for extension, revision or change of placement
- Review and or modification of orders for support, custody, or visitation
- Orders to enforce civil judgments
- Motions for reconsideration
- Motions after verdict
- Motions for post-conviction relief
- Sentencing after revocation
- Motions to modify sentence
- Motions to revoke probations
- Motions for new trial
- Motions for shock probation
- Motions for DNA testing
- Release and transfer hearing
- Writ hearing

Non-Case-Related Activities

1. Non-case-related administration:

All non-bench, non-case-related working time related to administration. Time spent on activities such as routine office matters, staff meetings, docket analysis should be reported under this code. These events are not related to a particular case(s).

Examples are:

- Judges meeting
- Court committee meeting (e.g., Planning and Policy Advisory Committee)
- Docket Analysis
- Personnel matters
- Any required meeting for administrative purposes
- Work on court projects
- Court commissioner evaluations
- Chief judge duties

2. Judicial education and training:

All time spent in judicial continuing education and attending judicial conferences.

Examples are:

- Judicial seminars
- Annual Judicial conference
- Judicial Continuing education
- Other judicial conferences

3. General Legal Research (not related to a specific case)

Examples are:

- Routine review, reading of reports of decisions, law review articles, advance sheets.

4. Community activities and public outreach:

Examples are:

- State Boards and Commissions
- Community education (including speeches)
- Community meetings with local judges, county boards, and committees
- Bar association meetings

5. Travel:

Time spent traveling on court business, but does not include time spent traveling from your residence to your headquarters. It does include travel time for which you seek reimbursement; for example, traveling from your home to another county or to a different location in a county from the routine place you work.

6. Vacation, personal time, and holidays:

Includes all time where the judicial officer is away from the court due to vacation, personal time, holiday or illness.

7. Lunch and Breaks