

# COURTEX

*The nerve center of the Texas Judicial Branch* Fall 2007

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### From the Director, Office of Court Administration

Welcome to the first anniversary issue of [CourTex](#) – only in Texas could I call December “Fall,” but in truth the leaves are just starting to pile up outside my house, as I write. This issue’s prevailing theme is information and technology, in keeping with the new tag line, “the nerve center of the Texas Judicial Branch.” That phrase is more an aspiration than an assertion, but it appeals to me on at least two levels: in keeping with the title “CourTex” (picture a cerebrum on top of the court column in the logo), and as a terse mission statement for our office. We exist to provide information about Texas courts to those who are interested, and to use our knowledge and expertise in collaboration with many of you to further the administration of the Judicial Branch. But I don’t want to be grandiose - I am very aware that there is a lot of great activity going on in the courthouses of Texas that we are not part of, and often don’t even know about. OCA and I welcome your future contributions to the newsletter, and future invitations to join forces for improvements in the administration of justice.

- [Carl](#)

## Court Information

### CourTopics



The [National Center for State Courts](#) maintains and staffs the largest court administration [library](#) in the world, and maintains an amazing inventory of information on court administration in its “[CourTopics](#)” database, organized by 130 topic areas and also into a series of resource centers:

Access and Fairness	Courthouse/Facilities	Human Resources	Technology
ADR	Court-Media Relations	Judicial	Traffic
Appellate Courts	Criminal Procedure	Jury	
Civil Litigation	Family	Legal Services	
Court Administration	Federal Relations	Sentencing	
Court-Community	Financial	Specialized Courts	



Within each topic area there is an Overview, Resource Guide, Frequently Asked Questions, and [State Links](#). State-by-state information is also available on [court structure charts](#), [court websites](#), and [court statistics](#). In addition to providing information for anyone, the National Center provides connections between court personnel such as the [Court2Court](#), [listserv](#), and even greater [association support](#) for a host of national groups including the [Conference of Chief Justices](#) and the [Conference of State Court Administrators](#).



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## Texas Courts Online

The Texas court system has a reputation for complexity and local variation that makes it difficult to summarize or explain, but [Texas Courts Online](#) makes it a little easier to approach. Here are some of the main features of the home page and where they lead, with a screen shot on p. 3.

1. From TCO you can use the court structure diagram to go to the [Supreme Court](#), [Court of Criminal Appeals](#), [courts of appeals](#), and [district, county, justice of the peace](#), and [municipal courts](#).
2. On the top of TCO in the red banner is a [Judicial Directory](#) button, which provides a search capability to locate court personnel by name. Once there, choose the “published” version of the directory, which leads to a menu, which includes the most-used, should-be-bookmarked document, [Trial Court Judges and Personnel by County](#).
3. Also on the top of the TCO page is a red bar with buttons including one for [Judicial Information](#), which is a useful resource page. The second link on that page is to the [Judicial Data Management System](#) that allows you to run your own reports.
4. Also on the top of TCO is a [Judicial Calendar](#) button to see events that might be of interest; this is also pasted into CourTex each issue.
5. Also on the top of TCO is a [News](#) button, where you'll see that our [2007 statistical report](#) was recently released and may be of interest.
6. Finally on the very top right hand corner of TCO is an [A-Z index](#) that leads to our Encyclopedia where you can browse our information by topic.

The screenshot shows the Texas Courts Online website in Microsoft Internet Explorer. The browser's address bar displays <http://www.courts.state.tx.us/>. The website's navigation bar includes buttons for "Texas Courts Online", "Judicial Directory", "Judicial Information", "Calendar", "News", and "Links". Below the navigation bar, the main content area features a "Welcome to Texas Courts Online" message and a "Court Structure of Texas" diagram. The diagram illustrates the hierarchy of the Texas court system, starting with District Courts (442 Courts - 442 Judges) at the bottom, moving up to Courts of Appeals (14 Courts - 80 Justices), and finally to the Supreme Court (1 Court - 9 Justices) and the Court of Criminal Appeals (1 Court - 9 Judges). A sidebar on the right contains a "Judicial Entities" list and a "TCO Encyclopedia" search box. Numbered callouts (1-6) are placed on the page to highlight specific features: 1 points to the Court Structure diagram, 2 points to the Judicial Directory button, 3 points to the Judicial Information button, 4 points to the Calendar button, 5 points to the News button, and 6 points to the A-Z index link in the top right corner.

## Texas Judicial Council Judicial Data Management Committee

As reported in the [Fall, 2006 CourTex](#), OCA has been working with the [Committee on Judicial Data Management](#) of the Judicial Council on a major rewrite of the judicial activity reporting system. The project involves staff and committee members working with judges and clerks on an extensive review of the data elements currently used by trial courts in reporting court activity in criminal, civil (including family) juvenile, and probate cases. In time, all levels of trial courts will be brought into the process. Because the number of data elements is so extensive, OCA created a workgroup for each level of trial court (district, county, justice, and municipal), divided the workgroup for the district courts into three sub-workgroups (criminal, civil, and juvenile), and divided the workgroup for the county-level courts into three sub-workgroups (constitutional county courts, county courts at law, and probate data). The component recommendations were reassembled with input from judges who served on the various and sub-workgroups, and representatives from the Supreme Court, Court of Criminal Appeals, and the Legislature. The Judicial Committee on Judicial Data Management and the full Judicial Council have now reviewed the proposals and will publish them for comment in the Texas Register, but they can also be reviewed on the [Judicial Council](#) website.

## Court Tech eFiling Summit

Peter Vogel, Chair of the Judicial Committee on Information Technology ([JCIT](#)) is convening an eFiling Summit on January 4<sup>th</sup> (10:00 am to 1:00 pm) in the Court of Criminal Appeals courtroom, Austin. The summit will include an overview and status report by [TexasOnline](#); reports by district and county clerks, eFiling Service Providers, and filers; and discussion of future plans for Justice of the Peace and Appellate eFiling. Inquiries should be directed to Peter at [pvogel@gardere.com](mailto:pvogel@gardere.com).



## Texas Path to NIEM

As reported in the Spring 2007 [CourTex](#), the Department of Public Safety (DPS), the Office of Court Administration (OCA) and the Department of Criminal Justice (TDCJ) partnered together - in collaboration with Texas Integrated Justice Information Systems ([TIJIS](#)) (a user's group dedicated to developing justice information sharing capabilities) and [JCIT](#) - to release a Request for Proposals on a project entitled, [The Texas Path to NIEM](#). The contract was awarded to [UNISYS](#), and the project is nearing completion. The intent of this effort is to lay the foundation for Texas agencies to reach NIEM compliance over time, and the original focus is on Information Exchange Package Documentation of a set of 28 common data exchanges. There appears to be a consensus that OCA will house the artifacts that result from this project, and the partners will continue to collaborate on seeking adoption of the resulting standards, and a system for changes and additions to the artifacts.

## Automated Registry

During the 80<sup>th</sup> Legislative session, OCA gratefully received (but had not requested) \$3 million in funds to create and maintain an "automated registry" system to coordinate the sharing of information from various state agency databases and the judicial system.

### Goals & Governance

OCA asked the JCIT to provide guidance for the project, and on October 17th, OCA met with an ad-hoc advisory group and the JCIT to begin public discussions on the scope of the project, determine

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which state agency databases would be of the most value to the judiciary, and identify which state agencies would be most amenable to collaboration on this effort. A key revelation was the involvement of the [Texas Correctional Office on Offenders with Medical or Mental Impairments](#) and Judge Sharon Keller on behalf of Texas's [Chief Justice Led Mental Health Task Force](#), in advocating for the funding, and their interest in using this technology to provide continuity of care under Chapter 614, [Health & Safety Code](#). We collectively arrived at a vision for the Automated Registry Project, to data-enable judges for better informed gatekeeper decisions; specifically, to provide criminal, family and juvenile judges with information on the people before them, through access to Department of Public Safety (DPS), Texas Department of Criminal Justice (TDCJ), Department of Family and Protective Services (DFPS), Department of State Health Services (DSHS) and possibly other state agency databases. JCIT Chair Peter Vogel and Vice Chair Bob Wessels tasked OCA staff to meet with agency database custodians to identify technical or legal issues that create barriers to the envisioned data sharing.

#### **Staff & Status**

In November, OCA hired Thomas Sullivan as the [Automated Registry Project](#) Manager. Since coming on board, Thomas has met with each of the identified data sharing state agencies to discuss the technical and legal issues associated with accessing their data. He is currently working on the project management plan for the project. The Request for Offer (RFO) for an automated registry will be developed in conjunction with the project management plan and posted for solicitation of offers in early 2008.

A second meeting of the JCIT and ad-hoc advisory group is scheduled for February 1, 2008. With the assistance of Regional Presiding Judges David Peebles and Stephen Ables, the group will be supplemented with additional judges to help analyze *ex parte* and other legal concerns.

Questions about the project may be directed to project manager Thomas Sullivan at 512.463.8109 or [Thomas.Sullivan@courts.state.tx.us](mailto:Thomas.Sullivan@courts.state.tx.us).

## **Texas Appeals Management & eFiling System**

### **(TAMES)**



With the key support of Chief Justice Wallace B. Jefferson and Chief Justice Adele Hedges of the 14<sup>th</sup> Court of Appeals (representing the Council of Chief Justices) the 80<sup>th</sup> Legislature provided \$2.3 million to OCA for this high-impact project.

#### **Goals & Governance**

The primary motivation for TAMES is the increased availability of electronic data related to appellate cases but the project will also provide OCA the opportunity to establish a current, more easily-supported technical environment. This will allow OCA to be more responsive to new requests for software features that support the appellate courts' work. Further goals are to:

- Maintain and improve the current case management capabilities for clerks' office operations and the public web access features;
- Add features that facilitate the flow of information through and among the chambers staff, routing draft documents, collecting comments and approvals and maintaining document versions;
- Create the ability to accept e-filed documents sent by attorneys through [TexasOnline](#), and to accept electronic documents provided directly by trial courts and court reporters; and
- Improve supportability by OCA staff through the use of a browser-based interface and currently-supported technology.

The steering committee for TAMES held its first meeting on November 15<sup>th</sup>. This group is led by Chief Justice Adele Hughes of the Fourteenth Court of Appeals. Her co-chair is Blake Hawthorne, the clerk of the Supreme Court. Steering committee membership includes JCIT Chair Peter Vogel, appellate court staff, district court staff, and a representative of the Texas Court Reporters Association.

**Phases & Products:**

TAMES is funded for the FY '08-09 biennium, with the need for additional funding in FY '10 to complete the hardware roll-out. Work will be divided into phases, with a subset of the system completed and tested (but not necessarily implemented) at the end of each phase. The initial phase will address eFiling needs and the related electronic document management features needed to support that capability. Subsequent phases are:

- Develop clerks' office processes and reporting;
- Integrate document circulation and management for chambers staff; and
- Develop public web access

**Staff & Status:**

A technical lead – Anthony Gatlin - is in place, currently directing work on system requirements development. Use cases (scripts for the human-computer interactions) are being used to identify and describe current and proposed features of the new system. This information is vital to our ability to recreate current features and accurately describe proposed system functions.

Questions about the project may be directed to Yolanda Aleman at 512.936.7559 or [Yolanda.aleman@courts.state.tx.us](mailto:Yolanda.aleman@courts.state.tx.us).

## **Texas Data-Enabled Courts for Kids** ([TexDECK](#))

[TexDECK](#) is a suite of projects funded by the Court Improvement Program of the Supreme Court of Texas.

**Goals & Governance**

The component projects are intended to improve case management in child protection cases, enhance the information available to judges handling these cases, and determine how many judges are needed to match the workload. TexDECK envisions a future where each judge hearing child protection cases is highly technology-enabled, possibly with two monitors on the bench to allow use of all the following: case management of the docket, the judge's calendar with approaching deadlines in other cases; digital access to every pleading, report, and photograph in the clerk's record dealing with the case at hand; information about other legal matters involving the family such as criminal charges, protective orders, or child support; selected information on the children and family before the judge from the child protection database (DFPS-IMPACT); substance abuse treatment and mental health information from another state database; and trend-level data showing safety, permanency, due process and timeliness measures for the judge's caseload.

The project includes both IT and non-IT components, including the efforts discussed below under Information on Child Protection Cases. Governance, until recently, was provided by the Supreme Court Task Force on Child Protection Case Management & Reporting, now the [Data Committee](#) of the [Permanent Judicial Commission on Children, Youth & Families](#).

**Statewide Court Functional Requirements Study**

This study will define best practices for child protection case management, translating what judges need into technical requirements for software vendors to follow. Site visits are being conducted with judges and court staff, including observation of court proceedings.

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**Specialty Docket Case Management System**

OCA has hired a contractor to work on improvements to the Specialty Docket Case Management System (SDCMS), which is used in the OCA-supported child protection specialty courts. Initial efforts are focused on fixing reported problems in the system to ensure that we have a stable product in place before we look at enhancing or replacing the system.

**Judicial Needs Assessment (Non-IT)**

OCA has contracted with the National Center for State Courts to assist with this judicial needs assessment or “weighted caseload” study of the district courts. In October, judges provided detailed reports of their judicial activity, both case-related and non-case-related. This data is undergoing analysis and will be used to determine judicial need based on workload.

**Update “Judicial Web Page” Application**

The “Judicial Web Page” is actually an Internet-based database that allows authorized judges to look up basic facts about their Child Protective Services cases. Migration of the Judicial Web Page from its legacy platform to a more current and maintainable environment is underway.

**Data Interchange Standards Development**

Data Interchange Standards Development was not scheduled to begin until October 2008; however, a number of states have started an effort to define interchanges, and Texas is getting on board. Representatives from several other states held an initial meeting in Denver to start defining a “Petition” data exchange for use between the child protection agency and the courts. Three sub-committees have been established to focus on outreach, data modeling, and implementation.

Questions about TexDECK may be directed to project manager Scott Jones at 512.463.1641 or [scott.jones@courts.state.tx.us](mailto:scott.jones@courts.state.tx.us).

## Courts for Kids Judicial Commission



On November 20<sup>th</sup>, 2007, the Supreme Court of Texas issued an [order](#) creating the Permanent Judicial Commission for Children, Youth and Families to help courts better serve children in foster care and move them more quickly into permanent homes. The 14-member commission will function as an umbrella group for court-improvement efforts, including sharing best practices among courts and improving their accountability, and will have oversight of grants such as the one that funds [TexDECK](#). In its separate [order](#) appointing charter members to the 14-person commission, the Court appointed Justice Harriet O’Neill as its chair.

The commission’s creation followed a September hearing on a proposal by a consulting group of judges, lawyers and others who work in child protection courts that a permanent body should tackle the challenges posed by exploding caseloads involving children in foster care. Numbers of foster care children in Texas increased by more than two-thirds over 10 years, from 11,808 in 1996 to 19,942 in 2006.

### Information on Child Protection Cases

Leading up to the creation of the Commission, the Supreme Court commissioned the Task Force on Child Protection Case Management & Reporting (also referred to as the Data Task Force, and now the [Data Committee](#) of the Commission) to propose data and case management strategies that will measure and improve court performance. At its first meeting, the group endorsed a letter from OCA to the district clerks of the largest counties in Texas, requesting that they try to collect a set of six information points about CPS cases in their courthouse: (1) the number of cases filed; (2) timely hearings held; (3)

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final orders issued; (4) cases pending; (5) attorneys appointed; and (6) the length of time to final orders. OCA received fewer than half of the requested reports, and the quality of the data received varied dramatically by county due to the limited capability of many district clerks to obtain the requested information, particularly concerning hearings held. The Data Task Force has now determined that this special effort can be discontinued, in favor of more gleaning information from the Department of Family and Protective Services (DFPS) "IMPACT" case management system.

The culmination of the examination of currently available data has been a series of meetings with DFPS to determine whether key measures or metrics of court outcomes can be "run" from the IMPACT system. The conversation on this topic has been aided by national initiatives. The American Bar Association Center on Children and the Law, the National Center for State Courts, and the National Council of Juvenile and Family Court Judges developed *A Toolkit for Court Performance Measurement in Child Abuse and Neglect Cases*. The toolkit builds upon the work already published by the partners in [\*Building a Better Court: Measuring and Improving Court Performance and Judicial Workload in Child Abuse and Neglect Cases \(2004\)\*](#). Consideration of the available literature and the discussions with DFPS have resulted in the identification of nine core measures related to child protection case management in the courts (not yet adopted by the Data Committee or the Commission):

1. Percentage of children who were victims of child abuse or neglect while under the court's jurisdiction.
2. Percentage of children who were victims of child abuse or neglect within 12 months after the court's jurisdiction ends.
3. Percentage of children who enter a permanent placement by reunification, adoption or guardianship.
4. Percentage of children for whom DFPS is awarded Permanent Managing Conservatorship (PMC) where the child is not legally free for adoption.
5. Age distribution of children for whom DFPS is awarded PMC where the child is not legally free for adoption: under 6 years of age, 6 to 11 years of age, 12 to 15 years of age, and 16 years of age or older.
6. Percentage of cases where adversary hearing was held within required 14 day timeframe.
7. Time to final order (time from removal to final order).
8. Percent distribution of final orders rendered within 12 months, 13 to 18 months, 19 to 24 months, and 25 months or longer.
9. Time to adoption (time from removal to adoption consummation).

In the near future these statistics will be available for each county in the state and statewide, so that judges can evaluate the impact of their local practices on court performance in these difficult, life and death case.

## Court Administration Court Administration Task Force



*Editor's note: this article was contributed by attorney Richard C. "Dickie" Hile, a member of the Task Force and chair of the Article 4-5 research group.*

In September of this year, Gib Walton, President of the State Bar of Texas (SBOT), established the Court Administration Task Force. This Task Force, comprised of more than forty lawyers and judges as well as two public members, was inspired by the sweeping court system proposals embodied in S.B. 1204,



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80<sup>th</sup> Texas Legislature. Judge Ken Wise of Houston and SBOT Past-President Martha Dickie are co-chairing the Task Force.

As originally filed by Senator Robert Duncan (R-Lubbock), S.B. 1204 addressed a myriad of issues, including: (1) expanding the appellate jurisdiction of the Supreme Court; (2) increasing the Supreme Court's oversight powers over the regional administrative judges; (3) allowing district and statutory county courts and justice of the peace courts to transfer cases and exchange benches under certain circumstances; (4) allowing the local board of district judges in a county with more than one district court to designate a court to give preference to certain types of cases; (5) abolishing forty-five statutory county courts and creating district courts in their place; and (6) establishing a five-member panel appointed by the Chief Justice of the Supreme Court which could assign cases determined to be complex to another judge.

S.B. 1204 quickly became one of the more controversial bills of the session due to the provision regarding transfer of complex cases, which attracted mostly negative attention as lobbyists for the Texans for Lawsuit Reform, Texas Association of Defense Counsel, Texas Trial Lawyers' Association and the SBOT Litigation Section considered the merits of this provision. The Senate committee substitute deleted the provision regarding the transfer of complex cases and in its place proposed to establish a committee, chaired by the Chief Justice of the Supreme Court, to allocate additional resources to courts presiding over certain complex cases. The provisions regarding the restructuring of statutory county courts and district courts remained virtually unchanged as did most of the provisions regarding court administration. S.B. 1204 died in the House on May 21<sup>st</sup> as the result of a point of order.

Because of the size of the Task Force and the breadth of issues to be addressed, the Task Force has been divided into three research groups, tasked with analyzing different portions of S.B. 1204 (as well as other issues of court administration or reform as they see fit). The assignments and chairs for each research group are:

1. Articles 1-4 and 7 (Appellate Court Provisions, General Provisions for Trial Courts, General Provisions for District Courts, Jurisdiction of Statutory County Courts and Court Administration); chaired by Tom Cunningham;
2. Articles 5-6 (Abolition of Certain Statutory County Courts and Creation of Additional Judicial Districts and Provisions Relating to Justice and Small Claims); chaired by me; and
3. Article 8-10 (Court Administration, Additional Resources for Certain Litigation and Grant Program for Court System Enhancement); chair Carl Reynolds. This sub-committee is also researching the complex court provisions that were included in S.B. 1204 as originally filed.

A review of the Senate and House Committee transcripts concerning SB 1204 indicates that the proposal to convert statutory county courts to district courts received little attention during the session. This is an issue that might have far-reaching implications regarding the future structure of the trial courts in Texas, and it is the focus of the research group I chair. To properly address this issue my group decided that it should not only examine the statutory county courts that would be converted to district courts, but also examine the structure and jurisdiction of all statutory county courts, district courts, and officials, such as masters, magistrates, referees and associate judges that assist the trial courts. We are gathering pertinent information regarding statutory county courts, district courts and masters, magistrates, referees and associate judges. We are also analyzing the Annual Statistical Reports for the Texas Judiciary for the

Fiscal Years 2006 and 2007, case activity reports for district and statutory county courts, reports regarding population-per-district courts, and reports regarding trends in case filings. Further, we are preparing a survey to be submitted to all statutory county courts and district courts. This survey is designed to obtain information regarding the effects of S.B. 1204 on the statutory county courts that were to be converted into district courts; gather data regarding all of the statutory county courts and district courts to determine optimal case loads; and determine how the types of cases handled affect the administration of cases, and what actions might make these courts more responsive. We hope to have the survey in the field in the next thirty to forty-five days., and in the meantime additional issues that my group is reviewing include:

- Do the differing amounts in controversy and subject matter jurisdiction of statutory county courts create confusion for the public or members of the bar? If so, does this confusion adversely impact the administration of justice?
- Should there be uniform jurisdictional limits for statutory courts? If so, should the current \$100,000 limits be increased to \$250,000 or \$500,000?
- Should there be uniform subject matter jurisdiction for statutory county courts that are assigned family law, criminal law or juvenile cases?
- Will the conversion of the statutory county courts to district courts as proposed in S.B. 1204 create additional problems for the newly created courts or to remaining statutory county courts?
- Should the maximum powers and authority that a judge might grant to masters, magistrates, referees and associate judges, be uniform rather than peculiar to the local situation?

As the research continues there no doubt will be additional issues to be considered.

## **Tarrant County Criminal Court Enhancements**

*Editor's note: this article was contributed by Holly Webb, Tarrant County Manager of Court Support.*

### **Differentiated Felony Case Management**

The Tarrant County District Judges hearing criminal cases developed and implemented a project to speed the disposition of cases called Differentiated Felony Case Management (DFCM). The use of case management techniques from the [National Center for State Courts](#) and computer technology speeds the flow of the felony cases through the court system. The computer system was designed to categorize cases according to complexity as expedited, basic or complex. Once a case is assigned to a category it is then assigned a general timeline for court settings and disposition. This allows simpler cases to be processed more quickly, leaving extra time for the more complex cases. Prosecutors, defense attorneys and bondsmen receive notices via e-mail of the different court settings.

Implementation of DFCM required great cooperation among the stakeholders because the old practices were deeply imbedded in the county's legal culture. Tarrant County has seen an increased flow of felony cases, lowered jail population, and lowered costs. In addition, Tarrant County recently received recognition by the National Association of Counties and the Texas Association of Counties for DFCM. DFCM is may be further reviewed on the [Tarrant County Criminal Court Support](#) website.

### **Judicial Dashboard**

While implementing DFCM, the judges wanted a tool to measure case movement through system, and commissioned a "Judicial Dashboard" from the Tarrant County Integrated Justice Information System. Previously, statistics for the progression of cases through the courts were rudimentary at best and difficult to obtain. The Judicial Dashboard looks at each individual court on a daily basis and reports the status

of the cases that are pending in each court, allowing the judiciary to manage their dockets in an efficient manner. The [Judicial Dashboard](#) is also available to anyone via the Internet. By having the statistics available, the courts can make future plans based on caseload and disposition rates.

## Lubbock County CourTools Report II: Continuing Accountability through Measurement

*Editor's note: the following is an excerpt from the report of this title by David Slayton, Director of Court Administration for Lubbock County. Copies of the report can be obtained on the Lubbock County [website](#).*

Last summer, the Lubbock County Board of Judges set out on a new path to accountability, allowing the public to use objective data to “judge the judges.” That data was released in a report entitled “[Accountability Through Measurement](#),” which received national acclaim from the National Center for State Courts and in a blog on court performance measurement. Now, one year later, the Courts attempt to see the progress that has been made between 2005 and 2006.

### Access and Fairness 1

**definition:** Ratings of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect.

**purpose:** Many assume that “winning” or “losing” is what matters most to citizens when dealing with the courts. However, research consistently shows that positive perceptions of court experience are shaped more by court users' perceptions of how they are treated in court, and whether the court's process of making decisions seems fair. This measure provides a tool for surveying all court users about their experience in the courthouse. Comparison of results by location, division, type of customer, and across courts can inform court management practices.

### Clearance Rates 2

**definition:** The number of outgoing cases as a percentage of the number of incoming cases.

**purpose:** Clearance rate measures whether the court is keeping up with its incoming caseload. If cases are not disposed of in a timely manner, a backlog of cases awaiting disposition will grow. This performance measure is a single number that can be compared within the court for any and all case types, on a monthly or yearly basis, or between one court and another. Knowledge of clearance rates by case type can help a court pinpoint emerging problems and indicate where improvements can be made.

### Time to Disposition 3

**definition:** The percentage of cases disposed or otherwise resolved within established time frames

**purpose:** This measure, used in conjunction with Clearance Rates (Measure 2) and Age of Active Pending Caseload (Measure 4), is a fundamental management tool that assesses the length of time it takes a court to process cases. It compares a court's performance with local, state, or national guidelines for timely case processing.

### Age of Active Pending Caseload 4

**definition:** The age of the active cases pending before the court, measured as the number of days from filing until the time of measurement.

**purpose:** Knowing the age of the active cases pending before the court is most useful for addressing three related questions: Does a backlog exist? Which cases are a problem? Given past and present performance, what is expected in the future?

### Trial Date Certainty 5

**definition:** The number of times cases disposed by trial are scheduled for trial.

**purpose:** A court's ability to hold trials on the first date they are scheduled to be heard (trial date certainty) is closely associated with timely case disposition. This measure provides a tool to evaluate the effectiveness of calendaring and continuance practices. For this measure, “trials” includes jury trials, bench trials (also known as nonjury trials), and adjudicatory hearings in juvenile cases.

The 2005 report contained sixteen strategies to address deficiencies revealed in the measures. At this point, eleven of the sixteen strategies have either been fully implemented or are in progress. As you will

see from the report, the strategies appear to have had a positive influence overall in the measurements. . .

### Reliability and Integrity of Case Files 6

**definition:** The percentage of files that can be retrieved within established time standards, and that meet established standards for completeness and accuracy of contents.

**purpose:** A reliable and accurate case file system is fundamental to the effectiveness of day-to-day court operations and fairness of judicial decisions. The maintenance of case records directly affects the timeliness and integrity of case processing. This measure provides information regarding (a) how long it takes to locate a file, (b) whether the file's contents and case summary information match up, and (c) the organization and completeness of the file.

### Collection of Monetary Penalties 7

**definition:** Payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases.

**purpose:** Integrity and public trust in the dispute resolution process depends in part on how well court orders are observed and enforced in cases of noncompliance. In particular, restitution for crime victims and accountability for enforcement of monetary penalties imposed on criminals are issues of intense public interest and concern. The focus of this measure is on the extent to which a court takes responsibility for the enforcement of orders requiring payment of monetary penalties.

### Effective Use of Jurors 8

**definition:** Juror yield is the number of citizens selected for jury duty who are qualified and report to serve, expressed as a percentage of the total number of prospective jurors available. Juror utilization is the rate at which prospective jurors are used at least once in trial or voir dire.

**purpose:** The percentage of citizens available to serve relates to the integrity of source lists, the effectiveness of jury management practices, the willingness of citizens to serve, the efficacy of excuse and postponement policies, and the number of exemptions allowed. The objective of this measure is to minimize the number of unused prospective jurors—the number of citizens who are summoned, qualified, report for jury service, and who are not needed.

### Court Employee Satisfaction 9

**definition:** Ratings of court employees assessing the quality of the work environment and relations between staff and management.

**purpose:** Committed and loyal employees have a direct impact on a court's performance. This measure is a powerful tool for surveying employee opinion on whether staff have the materials, motivation, direction, sense of mission, and commitment to do quality work. Knowing how employees perceive the workplace is essential to facilitate organizational development and change, assess teamwork and management style, enhance job satisfaction, and thus improve service to the public.

### Cost Per Case 10

**definition:** The average cost of processing a single case, by case type.

**purpose:** Monitoring cost per case, from year to year, provides a practical means to evaluate existing case processing practices and to improve court operations. Cost per case forges a direct connection between how much is spent and what is accomplished. This measure can be used to assess return on investment in new technologies, reengineering of business practices, staff training, or the adoption of "best practices."

Courts have long sought a set of balanced and realistic performance measures that are practical to implement and use. The ten [CourTools](#) performance measures were designed by the National Center for State Courts to answer that call.

## Collection Improvement Program

As reported in the [Special Edition](#) on this topic, OCA solicited comments on proposed rules governing the collection improvement program. That effort resulted in publication of the adopted rule published in the Texas Register on December 14th, and taking effect on December 19th, 2007.

Another development in the collection arena is OCA's involvement with the Council of State Government [Justice Center](#) (in particular, Dr. Tony Fabelo) on a project that will explore the implications of their study entitled [Repaying Debts](#). The purpose of the project is to explore policies related to the financial burdens placed on the criminal justice population; stay tuned for more news.

### OCA Profile: Debbie Main



In keeping with the theme of a nerve center, Debbie is the Telecommunications Analyst for OCA, which means she takes care of the networking and related equipment for the courts and agencies the OCA supports. Prior to joining OCA in May of this year, she spent 14 years with the Health and Human Services Consolidated Network, the largest state wide area network supporting the Texas Health and Human Services agencies and associated entities.

Before joining the state, she worked 9 years at Advanced Micro Devices as a production technician while completing college at Southwest Texas State University where she graduated with a BA in CIS in December 1991.

Debbie's daughter, Karma, will soon be 21 and is planning a Spanish immersion trip to Ecuador in April; then (hopefully) she is off to Colorado College next fall. Debbie is really into mountain biking, dating from the early 90's, and gives a lot back to that community. She was an officer and board member of the [Austin Ridge Riders MTB Club](#) for over 10 years and has been the administrator for the club's Ride Like A Girl program for 14 years. Debbie and Karma raced cross country for many years, and Debbie was on the board of the Texas Mountain Biking Racing Association. She has worked with the city, county, LCRA, [Texas Bicycle Coalition](#), etc. on trail building, public access to trails, and cycling advocacy issues since the late 90's. She does some road riding so that she can do charity events like the [MS 150](#) in April.

## Judicial Calendar

### JANUARY

4	10:00 a.m. - 1:00 p.m.	<b>Judicial Committee on Information Technology - eFiling Summit Meeting</b> Court of Criminal Appeals, Austin
10		<b>Probation Advisory Committee</b> Court of Criminal Appeals, Austin <b>Judicial Advisory Council Committees</b> Court of Criminal Appeals, Austin
14	12:00 p.m.	<b>Council of Chief Justices</b> Tom C. Clark Bldg., Suite 600, Austin
11		<b>Judicial Advisory Council</b> Court of Criminal Appeals, Austin

- 25                    **Public Meeting: Court Reporters Certification Board**  
(Location to be announced) Austin
- 27-29                **Texas Center for the Judiciary Winter Regional Conference**  
Regions 2, 6, 7 & 9  
Westin La Cantera Hotel, San Antonio
- 29-31                **Court and Local Government Technology Conference**  
Crowne Plaza Hotel, Austin  
<http://www.county.org/education/events/2008/govtech/index.asp>

**FEBRUARY**

- I     11:00 a.m.     **Guardianship Certification Board**  
Tom C. Clark Bldg., 6th Floor, Austin

**MARCH**

- 10    12:00 p.m.     **Council of Chief Justices**  
Tom C. Clark Bldg., Suite 600, Austin

**About [OCA](#)**

Resources & Information for the Efficient Administration of the Judicial Branch of Texas

OCA provides **resources** for the judicial branch:

- [technical assistance](#), training, and research on court administration;
- staffing for judicial branch regulatory boards and policymaking bodies;
- information technology solutions, including [Texas Courts Online](#);
- funding and standards for [indigent defense](#) services;
- fiscal and legal consultation for [appellate courts](#);  
and
- staffing and administration for [specialty courts](#).

OCA provides [information](#) about the judicial branch:

- statistics and analysis of court information and case activity;
- descriptions of court system structure and jurisdiction;
- legislative responses and reports about the courts and judiciary; and
- comparative policy studies and recommendations.

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[Organization Chart](#)  
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[Strategic Plan](#)



Please refer comments or questions about this newsletter  
or the Office of Court Administration to:  
[carl.reynolds@courts.state.tx.us](mailto:carl.reynolds@courts.state.tx.us)

