



**TARRANT COUNTY CRIMINAL
COURTS AT LAW**
**EVALUATION OF MISDEMEANOR
CASEFLOW MANAGEMENT
PRACTICES**

FINAL REPORT

Prepared for:
Tarrant County Criminal Courts at Law, Texas

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ACKNOWLEDGMENTS

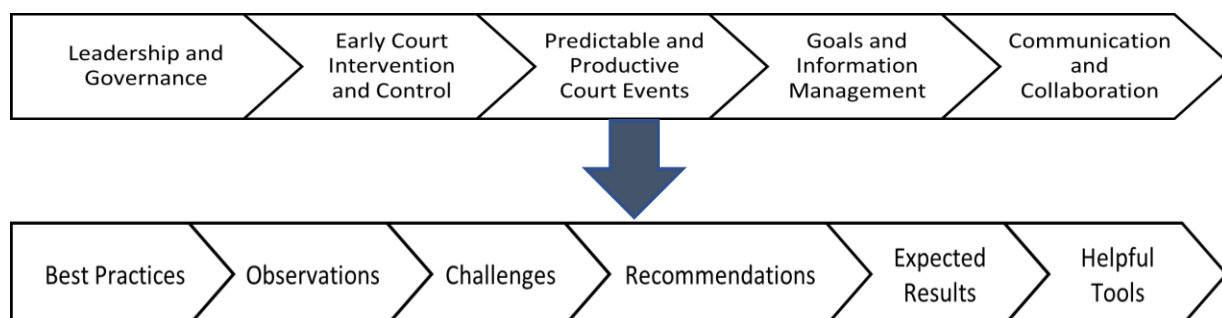
The National Center for State Courts (NCSC) project team acknowledges the Honorable Judge David Cook and Criminal Courts Administrator J. Gregory Shugart at the Tarrant County Criminal Courts for their assistance in project coordination and information provision. They both demonstrated interest in addressing and improving caseload knowledge and practices. The project team also thanks the judges and staff at the Tarrant County Criminal Courts. Their experiences, observations and sharing during interviews assisted the NCSC team in understanding and assessing caseload management functions and practices. NCSC extends appreciation to Tarrant County administration leadership, the district attorney candidates, local criminal defense counsel, and local law enforcement representatives. Despite busy schedules, and ongoing work demands, they willingly shared information and operational observations, all extremely helpful for this evaluation.

EXECUTIVE SUMMARY

Objectives of this evaluation included review and recommendations on misdemeanor criminal caseflow management practices for the Tarrant County Courts at Law. Project actions included: a site visit and interviews with judges, staff and county and justice stakeholder representatives; reviews of materials and documents from the Tarrant County Courts; and consideration of proven caseflow management best practices.

Findings and recommendations are presented in this report using caseflow practices in five main areas: leadership and governance; early court intervention and control; predictable and productive court events; goals and information management; and communication and collaboration.

Recommendations noted in this report will include a description of the known best practices, observations from the site visit, interviews, and review of materials, statements of challenges that can be anticipated, expected outcomes and useful tools for the courts to employ for enhanced caseflow practices.



A full summary chart of caseflow elements, observations, and recommendations is included in the report conclusion. Priority actions items for the next three to six months are also noted as represented in the chart below.

Priority Actions to Take within the Next Three to Six Months	Establish a bench meeting protocol and convene judges' meetings
	Convene a meeting with justice partners
	Adopt a caseflow management plan and a continuance policy
	Revise the local rules
	Adopt a data integrity policy and plan
	Meet and coordinate with the clerk of the court
	Inventory the full caseload
	Seek agreement among the judges on case events and timing

Lastly, examples of sample caseflow forms, additional resources, and caseflow practice sources are included in the appendix.

ECCM analyzed criminal cases in terms of time to disposition, a widely understood and measurable outcome. Timeliness in this context signals a much broader responsibility of the courts: to ensure that each person's constitutional right of due process is honored in the process of seeking justice in individual cases. Thus, timely justice is not a simple notion of speeding up legal processes in the name of efficiency or maximizing output. The right to due process reflects a deep notion of what is fair and just and is embedded in the notion of an independent, fair, and impartial judiciary.

PROJECT METHODOLOGY AND TASKS

- I. Project Kickoff and Introduction. Consultants will convene a kickoff meeting with Tarrant County representatives to introduce Tarrant County representatives and the consultants, outline consulting services, steps and actions that comprise the consulting engagement, answer and clarify any questions, and confirm target timelines and confirm the project contact point/representative.
- II. Research and Review. Project consultants will review the current caseload situation, prior studies, reports and courtwide caseflow directives or orders. Research will include review of related documents, caseflow plan documents, caseflow policies, caseflow calendar or docket practices, work processes for caseflow, and review of pertinent caseflow data and performance metrics from available data reports.
- III. Site Visit and Interview Court Representatives. Project consultants will meet with and interview important system participants, including judges, court coordinators, the court administrator, and designated justice stakeholders, officials, and service providers with a role in criminal case processing. Interviews and communication may occur in person during a site visit or via virtual meetings or using both methods.
- IV. Report Preparation. Consultants will prepare a report for review by the courts in which findings and recommendations are presented. The report will include information and materials to indicate and substantiate caseflow practices that can be applied by the Tarrant County Court judges and court coordinators.
- V. Report Revision and Finalization. Tarrant County Court judges and representatives will be invited to comment on any corrections, revisions, or clarifications needed. A final report will be issued.
- VI. Training and Caseflow Orientation. Consultants will present and conduct a "Caseflow Management" Workshop for judges, with a possible separate Caseflow

Management workshop for Court Coordinators and for designated justice system participants.

- VII. Following tasks, I-VI, NCSC consultants and the judges will develop a technical assistance implementation plan for long term use of best practices. Ongoing communication, training, and support will be extended for caseflow changes and may include working with judges, court coordinators, the court administrator, and designated justice stakeholders having a role or interest in criminal case processing.

BACKGROUND

The project objective was to evaluate the misdemeanor criminal caseflow management practices at the Tarrant County Criminal Courts and make recommendations for improvement. In past five years, the active pending misdemeanor cases have increased with much of the increase occurring since the beginning of the pandemic. As a result, there has been a growing need to assess systemic processes and practices for improving misdemeanor criminal caseflow management.

Court leadership, in the person of the chief or presiding judge and court administrator, support the evaluation and receipt of clear information about target areas and practices to improve caseflow management. There is a sense that the current processes are not producing outcomes that are efficient and productive.

It is important to recognize and note that there are foundations and positive elements currently in place that can position the court and provide support for criminal caseflow enhancements and changes. Among them are:

- The arrival of five newly elected judges, with interest in and insights on making a difference in caseflow management, creating an optimal time to make changes for improvement in caseflow.
- The election of a new district attorney (DA) also supports the timing for caseflow enhancements and the expectation that the DA and assistant DA will want to employ practices that allow them to move cases within the system.
- The interest of the chief judge and court administrator in obtaining a clear priority and recommendation list to improve caseflow and a desire to drive change and act upon the stated targets for caseflow advancements.
- Stated desires from judges to manage caseload volumes, enact efficiencies and improvements in moving cases to avoid case backlogs.
- Judges observed that minimal backlog is present which allows the court to address cases that are newly filed and avoid further case delays.
- The existence of the current dashboard with summary case information, thus demonstrating the ability to compile and publish caseflow metrics.

- The implementation of a new case management system with specific programming to support caseload and case processing.
- The clerk's office maintains descriptive information and instructions for each of the courts, in which courtroom and case handling protocols are described.¹ These may be helpful to further evaluate consistent processes and lay the foundation for codification of court practices court wide and allow for greater efficiencies across all ten courts.
- The presence of the judicial staff attorney with experience, interest, and ideas on how to implement case handling and monitoring improvements.
- The addition of a new data and policy specialist position. This presents an opportunity for focused attention to caseload metrics. The position, reporting to the court administrator, will be able to provide process analysis, workflow evaluation, training, and orientation on caseload metrics, and preparation of data reports for judges and judges' meetings, court administration, and justice stakeholders.

These foundations will facilitate and support the work ahead to exemplify caseload excellence. This report is intended to supply tangible caseload targets and provide examples of how to achieve caseload management to a greater degree in the County Courts.

RECOMMENDATIONS

An introduction to caseload management best practices will provide the foundation and set the stage for recommendations and actions recommended in this report. Proven caseload actions and practices have included seven fundamental areas.² In recent years, an eighth key area has been noted based upon the reliance and leveraging of technology. Courts have applied these practices with success. Best practices have included these broad domains:

Figure 1 - Caseload Management Best Practices

Caseload Management Best Practices	Leadership and vision
	Court supervision of cases
	Use of standards and goals
	Control of continuances
	Early case disposition
	Consultation with stakeholders
	Monitoring and use of information
	Utilization of technology

¹ Clerk's Office documents are entitled "CCC # Procedures" are on file for each court and updated on an annual basis; they are useful for the assigned clerk to have clear protocols and understand nuances between courts.

² A full listing of these practices is included in the Appendix along with tangible examples of each practice area.

These caseflow techniques, when utilized effectively, involve tools and protocols that describe how the court, the individual judges, and the justice system will “govern” its caseflow management practices. Examples of the tools and elements used in court for caseflow include: having a caseflow management plan; publishing a continuance policy; and having clear expectations on court events to be used and forms or documents. These caseflow management practices allow courts to have ongoing leadership over caseflow, a fundamental responsibility of the court. The chart below includes a broad listing of the caseflow proven components and tools.

Figure 2 - Proven Components of Caseflow Success

Proven Components of Caseflow Management Success	Caseflow management plan
	Local rules (updated), directives and expectations
	Caseflow management time and processing goals
	Documented target events and timelines
	Continuance policy
	Administrative/ministerial actions for court coordinators
	Caseflow forms: scheduling order, continuance request, pretrial scheduling order, plea memorandum form
	Metrics to measure and manage caseflow
	Meetings: bench/judges, administration, court coordinators, regional/local/chief administrative judges, justice stakeholders and partners, county administration

Courts fully dedicated to caseflow success leverage a broad group of court users, contributors, and beneficiaries of caseflow practices. These system participants may contribute to caseflow practices and benefit by being included in discussions about caseflow and suggesting system and caseflow enhancements. The groups also receive caseflow performance data and metrics. Among the optimal participants and partners: all judges and staff, lawyers and service providers, and the funding and administrative authority for the county. There is a wide-ranging array of possible partners who participate in and help the court conduct caseflow practices.

Figure 3 - Caseflow Stakeholders, Participants, Contributors and Beneficiaries of Practices

Caseflow Management Participants	Court - judges, magistrates, court coordinators, court staff
	Court administration
	Judicial staff attorney
	Court data and policy specialist
	District attorney and staff
	Public defense lawyers
	Law Enforcement agencies
	Private bar
	Case related providers
	Other service providers

Recent caseflow research has outlined five important practices for effective criminal case management for U.S. Courts, as illustrated in the Effective Criminal Case Management (ECCM) Project.³ Those five areas replicate and underscore many of the long-known caseflow best practices illustrated above and include:

- Leadership and governance
- Early court intervention and control
- Predictable and productive court events
- Goals and information management, and
- Communication and collaboration

Figure 4 - Effective Criminal Caseflow Practices

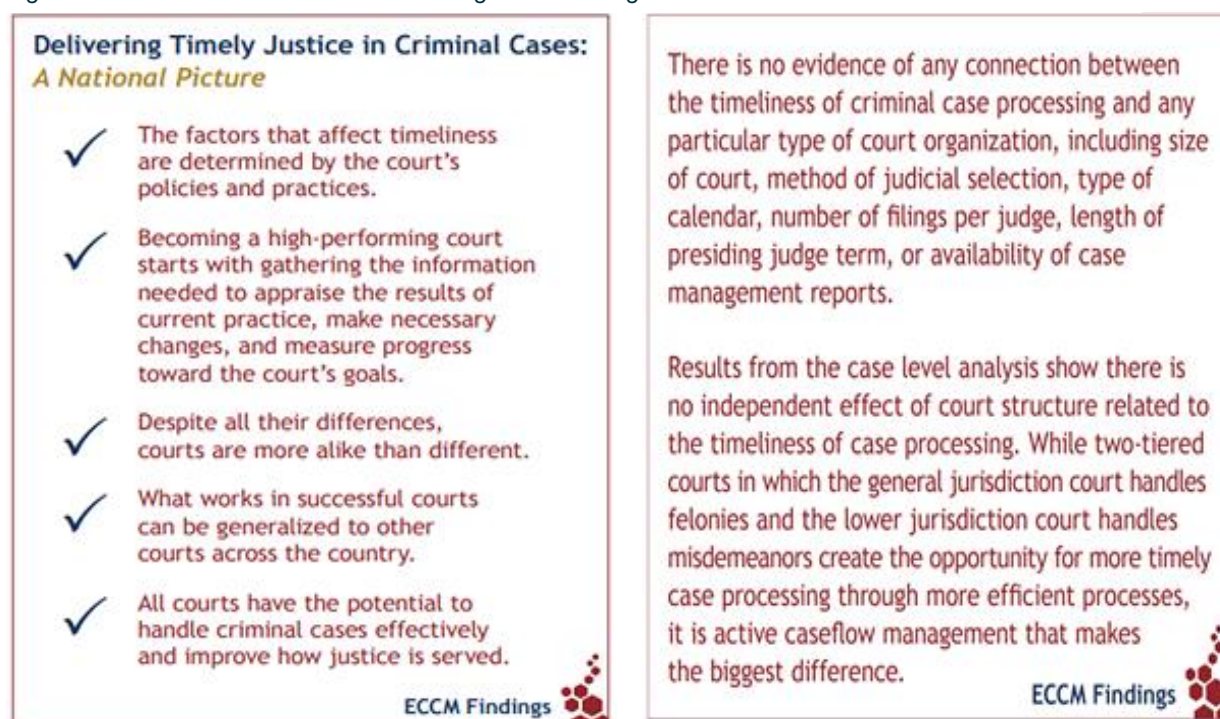


Research findings indicated that it is court leadership and actions that sustain caseflow practices. As noted in the ECCM report, “all courts have the potential to handle criminal cases effectively and improve how justice is served.”⁴

³ See <https://www.ncsc.org/consulting-and-research/areas-of-expertise/court-management-and-performance/caseflow-management/effective-criminal-case-management>

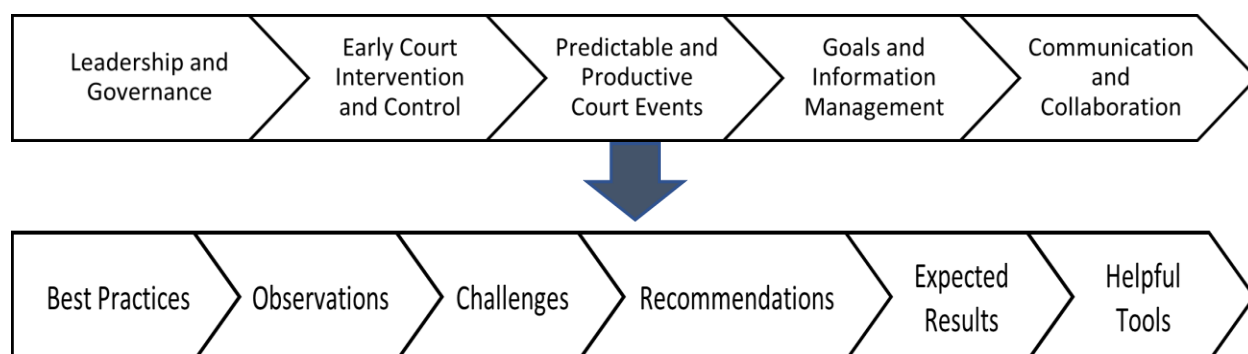
⁴ Brian J. Ostrom, Lydia E. Hamblin, and Richard Y. Schauffler, “Delivering Timely Justice in Criminal Cases: A National Picture,” National Center for State Courts, undated.

Figure 5 - Effective Criminal Caseflow Management Findings



In this report, recommendations, and actions for criminal caseflow management will be organized within the five areas emanating from the ECCM project. Within each area of best practice, a best practice description will be noted, followed by observations from project interviews and research, challenges in implementing the best practices, recommendations for tangible action, expected benefits when recommendations are realized, and helpful tools to employ.

Figure 6 - ECCM Practice Areas and Structure of Recommendations



For select areas, a rating scale is included, indicating where Tarrant County practices fall on a caseflow management maturity scale.⁵ The scale portrays a visual of current practices that can invite consideration of areas and actions for caseflow improvement.

⁵ See https://www.ncsc.org/_data/assets/pdf_file/0013/53221/Caseflow-Management-Maturity-Model.pdf.

Figure 7 - Effective Criminal Case Management Maturity Areas

ECCM Maturity Scoring Areas	Caseflow Practices
	Case Monitoring Practices
	Collaboration with Justice Partners
	Continuance Monitoring

LEADERSHIP AND GOVERNANCE

Effective caseflow management begins with judicial leadership. The presiding judge, court administrator and other managers in the court set the culture and expectations for the organization. Caseflow management is best achieved by constant practice, documentation of policies and procedures, authority to act, clear definitions of various roles, and involvement by staff. Judicial leadership should also regularly review caseflow management goals, monitor compliance with policy and procedures, support training and communication within and without the judicial branch.

Observations:

There are ten courts hearing criminal misdemeanor cases in Tarrant County. Each court has its own method of caseflow management, and is staffed by a judge, a court coordinator, and a court clerk. Two of the courts hear family violence cases. After the election on November 8, 2022, there will be several new judges. The court has an elected clerk of court, an appointed court administrator, and one judge serves as the presiding judge. The misdemeanor judges do not meet en banc.

Currently, there are no uniform court procedures for caseflow management, although some judges have adopted similar practices. At least one court posts written notice of caseflow management in the courtroom and another will provide a written notice of expectations if a case appears to be lagging.

Court coordinators are tasked with ensuring that cases are set when they need to be set, compiling caseflow information for the judges and working reports.

obtained from the case management system, or from the state's website which has statistics reported by the clerk of court. Courtroom clerks create and maintain a record of proceedings.

The courts have seen a caseload increase of approximately 30% over the past five years. Interview opinions indicated that case backlog is not a prominent problem, and that overall, the courts are current on the caseloads, despite the increase in caseload

and the COVID-19 pandemic. There remains, however, a perception that the court is overburdened with work. With the lack of specific caseflow metrics, it is challenging to have clear data to inform decision makers.

Challenges:

1. The judicial officers do not meet en banc or as a collective group as a forum to collectively discuss caseflow management.
2. Lack of uniform written policies and procedures regarding caseflow management may create confusion for practitioners, litigants, and court staff.
3. Active caseflow management is not achieved because of various delays caused by internal and external factors.
4. Other than the court coordinators, staff involvement in caseflow management is limited in terms of practice, participation in workgroups/committees, and focus on use of case handling best practices.

Recommendations:

1. The misdemeanor bench should establish a regular meeting schedule, at least once per month. The meetings should be staffed by court administration, should have a clear agenda which is distributed prior to each meeting, and should be attended by other staff members, as necessary. The agenda should contain a standing agenda item dealing with caseflow management, with statistical information provided for each meeting.
2. The misdemeanor bench should develop a uniform policy and procedures dealing with caseflow management. The policy should be reduced to writing, shared with staff, practitioners, and the public. Any further policies and procedures adopted by each court should not be inconsistent with the uniform policy and should be communicated in the same manner. The policy should contain information regarding appropriate and agreed-upon time frames for cases from filing to final disposition, clear definitions of scheduled events, clear expectations for practitioners regarding preparedness, discovery requirements, victim notification, and timeliness and quality of offers for plea agreements. The policy should also contain information as to the appearance of the defendant at each scheduled event.
3. The presiding judge should delegate authority to the court administrator and other court leadership, to carry out the policy and procedures developed above.
4. A caseflow management committee comprised of the court administrator, the lead court coordinator, the clerk of court, the judicial legal counsel, the district attorney, the president of the defense bar and a detentions officer should be convened. The committee should meet at least quarterly to discuss caseflow management practices and serve as an advisory committee to the en banc group of judges.

5. The court should adopt a continuance policy which sets forth the method by which a continuance may be sought, appropriate reasons for seeking a continuance and the method by which the court will notify the parties of the granting or denial of such request.

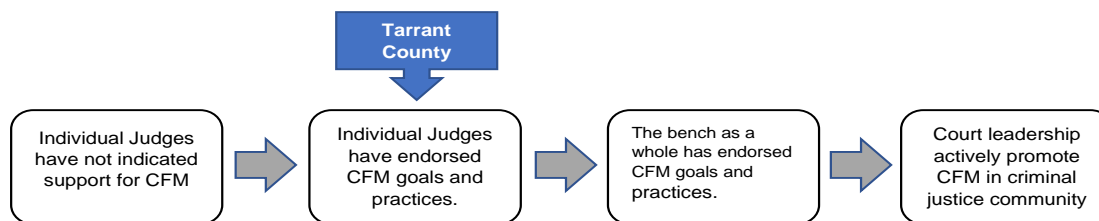
Expected Results:

1. Tarrant County will be electing several new misdemeanor judges on November 8, 2022. The new judges are eager to begin service but are also in need of some mentorship by seasoned judges. Regular meetings of the judges en banc enables, the judges to share ideas, wisdom, and criticism in a collegial forum. Caseflow management practices are important to the court as a whole, and to judges on an individual basis. Sharing experiences and caseflow management decisions in a controlled and confidential forum will allow for a culture to form on the importance of caseflow management.
2. The autonomy of judges is important, however, a unified approach on policies and procedures dealing with caseflow management is important as well. Courthouse and courtroom staff will have a single set of policies and practices of the county courts as a whole. Clerks will be better equipped to assist court customers in the clerk's office while answering questions and they will know what to expect while in the courtroom. The court coordinators will also benefit from a unified approach as the need arises to cover for another coordinator due to illness or vacation. Practitioners will benefit from a unified approach as they will know the policies and procedures of the court and prepare accordingly. Litigants will also benefit from uniform treatment.
3. The judges should enact policies and procedures and administrative staff should carry them out. Judges may review motions filed pursuant to policies, but generally, the court administrative staff carry out the daily operations of the court, and must have authority to act. Judges must thus support the administrative staff as they carry out the policies and procedures. In doing so, the court and the administrative staff develop trust with one another.
4. A caseflow management committee would benefit the Tarrant County Courts. The committee can identify caseflow management issues at every level in the process, brainstorm solutions and offer those up to the en banc for consideration. This is more easily completed without judicial officers (involved in specific cases) in attendance because of the need to talk about case-specific items.
5. The judges interviewed by the project team indicated that each court has their own method of dealing with continuances. A unified policy and procedure including directing timely filing of motions for consideration by the judicial officers, removes the burden from the court coordinators, sets forth a clear path for court users, and helps establish a clear record for the court. This concept also serves to help reduce the number of continuances seen in cases because the attorneys are not preparing for court.

Tools for Use in Implementation:

1. Sample En Banc or Judges Meeting Agenda
2. Sample Caseflow Management Plan
3. Sample Continuance Policy

Figure 8 - Caseflow Maturity Model Score for Caseflow Success with Leadership and Governance Practices



EARLY COURT INTERVENTION AND CONTROL

A hallmark of courts that succeed in managing and overseeing caseflow management is early intervention for the management of the flow of each case. In these courts, judges and staff recognize that it is the responsibility of the court, not other participants, to control case progress from filing to disposition. Court control includes ongoing oversight of each case, review of case progress, and use of steps to oversee or maintain control of cases to avoid any cases languishing or becoming stalled in the system.

Early intervention and oversight commences when the case is assigned to the court or becomes the responsibility of the assigned judge. Techniques for early case oversight include review of cases soon after filing, or at the first scheduled court event to determine cased needs. Case review may be followed by use of scheduling orders, requests for case status updates and direct case oversight by judges or court staff, and, in a continuous manner. Case attention includes early determination of a defendant's indigency status and legal representation as soon as possible after arrest, attending to and limiting case continuances, calendar management with expectations for counsel to be prepared for each court event, and ongoing attention to support case movement to settlement, conclusion of issues under dispute and case resolution.

Observations:

Because each judge has wide discretion in how they manage the docket and carry out case oversight, there are variations in early court intervention and court control. Some judges use protocols to watch case progress by looking at court statistics and evaluating how long the case has been in the system, and some judges use a more relaxed approach. In general, judges appear to be more comfortable in allowing the

parties (DA and defense attorney) to control case progress than in taking a strong stance regarding case process steps and expectations. This is coupled with differing use of court events, passage of time between events, and holding the parties accountable for doing what was expected at a court event. Further description of the variation in use of court events is noted below under Predictable and Productive Court Events.

While not fully borne out by statistics, there is a sense that the court does not have a significant case backlog. However, interviews indicated that the court is overwhelmed by case volumes, dockets, and incoming demands for calendar or docket times. Repeated continuances of cases and the absence of clear caseflow data are likely contributing to the feeling of a heavy workload.

Court continuances, also called “passes,” seem to be the norm. Interviews indicated a sense that the court, the judges, had minimal control over the passes and therefore passes were allowable and could not be avoided. Consultants were not able to obtain data on continuances, but interview comments noted many instances for continuing or passing a case regularly occur without too much concern.

Judges bear the main responsibility for case handling. With each judge having an assigned court coordinator, some judges delegate and defer case attentiveness to the court coordinator. Some coordinators use strong oversight, and some do not, instead deferring to and awaiting directives from the judge.

Some judges are also delegating certain events to the court magistrates who can be empowered to handle events and make case determinations. There did not appear to be any clear criteria for which events and actions are allowable to the magistrates, and little coordination of caseflow management expectations shared with the magistrates. Magistrates indicated an interest in helping to address case needs but did not seem to have been consistently involved in having protocols to ensure cases were moving toward final resolution. Thus, there is a missed opportunity for the totality of the judges, magistrates, court administration, and court coordinators to work collectively and cohesively to move cases from filing to disposition.

Challenges:

1. A strong challenge present at the Tarrant County Criminal Courts is the belief that each judge can use individual practices and protocols to handle cases. This contributes to the proliferation of disparate practices. Disparate practices also create challenges for new DAs to know what is expected and when DA's move from one court to another, their case preparedness may suffer. The same applies to defense attorneys.
2. There is a view that case passes are unavoidable and are outside the direct control of judges; this also contributes toward case delays.

3. Due to the variations in how and if each judge holds parties responsible for being prepared for events, there is skepticism that any system changes can take hold.

Recommendations:

1. The court as a whole - all ten judges - should obtain data on the numbers of court continuances (or passes) for each judge and for each type of calendared event and should discuss and deliberate on what is an acceptable number of continuances. The goal should be to minimize and eliminate continuances, making them the exception instead of the norm.
2. The judges should agree upon a formal, published, caseflow management plan, to include continuance practices, expected case events, expected and targeted timing for and between events, and forms to be used to support the caseflow oversight.
3. The judges should agree on a formal court continuance policy, which should include clear practices, steps, and information to be provided when a continuance is requested. This should also include use of a written, formal requests form that includes clear and substantiated reasons for continuing a case.
4. The court should empower a court committee of staff, inclusive of designated judges, the court administrator, judicial staff attorney, data and policy specialist, and court coordinator staff, to participate on a monthly basis to evaluate caseflow practices and performance data.

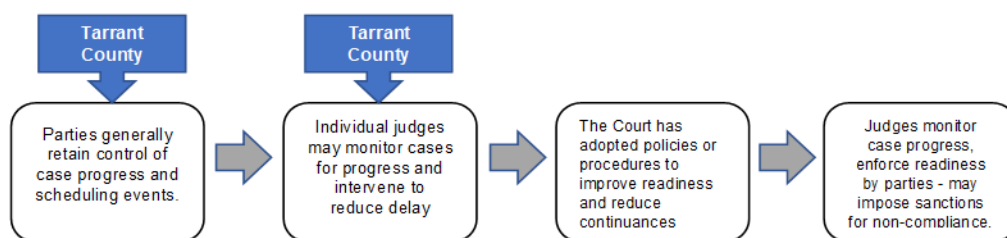
Expected Results:

1. Attention to case continuance data will result in increased attention and interest and limiting continuances or passes.
2. Having a caseflow plan, continuance policy will allow judges to impose and discuss expectations for case parties.

Tools for Use in Implementation:

1. Sample Caseflow Management Policy
2. Clear Listing of Court Events and Time Processing Goals
3. Sample Court Continuance Policy
4. Listing of court forms (request for continuance, status conference, scheduling order)
5. List of stakeholders and participants for caseflow management success

Figure 9 - Caseflow Maturity Model Score for Caseflow Success with Early Court Intervention and Control



PREDICTABLE AND PRODUCTIVE EVENTS

Effective courts set clear expectations for preparation and planning before cases are filed with the court. This may be accomplished with a caseflow management policy which sets forth the court's expectations of how a case will proceed through the judicial process from the time it is filed with the court until final disposition.

As previously noted, a continuance policy will support court event practices. If the court ensures that hearings proceed as scheduled and are productive, participants are more likely to prepare for hearings. In addition, scheduling hearings at appropriate intervals, ensuring adequate time is available on the court's docket and limiting continuances also encourages party preparation and planning.

Observations:

The courts have strived to catch up on any backlog that may have been created during the pandemic, and they assert that cases move along effectively.

In 2012, the Texas Supreme Court adopted the Tarrant County Court Rules. These rules espoused some caseflow management practices, however, in the years that followed, the individual courts adopted their own rules, resulting in several courtroom practices within Tarrant County. Each judge has their own rules or ideas about caseflow management and continuances. At least one judge posts caseflow management information in his courtroom. One court is somewhat strict with continuance requests. Court participants interviewed for this study believe they understand the variances between courts but expressed a desire to have some unification.

The court, following legislation requiring prompt magistration, adopted a unified magistration process. Upon observing this process, each of the magistrates observed by the project team followed the same procedure and provided the same advisements to defendants. As a result, the defendants knew what to expect, as did the staff at the detention facility.

Following magistration, overall practices developed in the past expect the courts and their coordinators to schedule cases for hearings as follows:

- Pre-Trial Setting - First appearance where both counsel are present. Counsel may make initial offer at this hearing.
- Announcement Setting - The defendant will be expected to decide whether to enter a plea of guilty or enter a plea of not guilty and select the type of trial they want.
- Disposition Setting - The court will accept the defendant's entry of plea and may either sentence or set over for sentencing following pre-sentence investigation.
- Trial to the Court or Trial to Jury, and Sentencing

However, some judges have begun scheduling motions hearings for the purpose of forcing the DA and the defendant to prepare. Other variations have developed, most created individually, and not codified nor vetted across the group of judges.

The following chart provides an illustration of the variations between courts/judges. Judges use different events and allow different timing between events. These do not represent predictable and consistent access. They invite wide variations in the timing, continuance practices, and movement of cases from filing to final adjudication.

Examples of Different Court Events Used for Six Different Courts					
IA	PreTrial	Contest	Disposition	Probation Revocation	
IA	Announcement (1 st)	Announcement (2 nd)	Announcement (3 rd)	Motions	Trial
IA	Announcement (1 st)	Announcement (2 nd)	Offer	Trial	
IA	PreTrial (1 st)	PreTrial (2 nd)	Announcement	Plea	Trial
IA	Announcement	Disposition	Contest	Trial	
IA	PreTrial (1 st)	PreTrial (2 nd)	PreTrial (3 rd)	Contest	Trial

There is no unified policy on continuances, and each court desires the flexibility to exercise their discretion on a case-by-case basis. Each court employs different rules for continuances in their court. Some may continue the announcement setting a number of times in order to allow additional time for the district attorney to convey an offer, or the district attorney may have a victim that must receive information or consultation, or the district attorney is new and does not know of the last offer that was made, or the defendant has not received enough of the discovery to entertain an offer, etc. Some courts continue in 30-day increments and other courts continue in 45-day increments. Most courts have their coordinator fielding the requests for continuance based on that court's standard criteria. If something out of the ordinary is expressed, the coordinator refers the party to speak with the judge.

The family violence courts may have very different standards in terms of caseflow management. The same may be true for specialty courts.

Discovery in the misdemeanor court is less of a problem than in the felony court, but many times cases are continued because the DA is waiting for lab results or body camera video or other information from law enforcement. The judges have taken the position that they are unable to control the exchange of discovery.

The courts do not use scheduling orders which would specify dates certain for discovery as well as other scheduled events.

Other than the "rocket docket," intended to help the court catch up after pandemic influences, the court has not established an expedited disposition program, to take up lower-level offenses which have limited discovery and fairly predictable sentences. When the courts were holding the "rocket docket," the courts were not granting continuances as freely.

Most of the courts employ a trailing trial docket strategy when setting trials to ensure that at least one case will proceed to trial on a scheduled trial date. Some judges set four to five cases deep, while other judges set more than ten cases.

Several courts allow some type of diversion program, either pre-plea or pre-sentence, or a deferred sentencing program post sentence, which allows the defendant to complete a treatment program, or a probation period and then the case is dismissed. These cases will extend the life of a case. Judges may grant continuances to see how far along the defendant is in their education program.

Challenges:

1. It is difficult for the court to obtain and keep control of the cases when there are so many outside influences: the DA fails to complete discovery, or fails to notify a victim; the investigating agency has not sent all of the body camera video, there are problems getting lab results; the defense counsel has not been able to obtain or convey the DAs offer; the defendant has a pending felony case which much resolved first, etc. The judges do not feel that they should control the case.
2. The last document which may control caseload management, the Local Rules, was approved by the Supreme Court of Texas in 2012. The document espouses some of the best practices for caseload management, but each court continues to maintain their own rules.
3. The court does not have a unified continuance policy by which to guide court staff, counsel, and litigants. Without a continuance policy, there is no incentive to be prepared for scheduled events, including trial.

Recommendations:

1. The court should develop a continuance plan which defines the method by which a continuance may be requested, the criteria the court will consider when reviewing a motion for continuance, how motions will be filed and presented to the court, how orders will be distributed to the parties and what will happen if a request for continuance is denied. The court may consider continuance requests on a case-by-case basis but will comply with the plan as much as possible. The court should review motions for continuance and remove the coordinators from the process.
2. Motions for continuance should be filed with the clerk of court, entered into the CMS and then presented to the judge for consideration.
3. The court should develop a caseload management plan which clearly defines the expectations the court has for the movement of cases, including all settings, reference to the continuance plan, and a goal for timeframes for cases from initiation to final disposition. This plan should include a policy on the timely exchange of discovery and victim notification.
4. The continuance and caseload management plans should be widely communicated with justice partners and court staff.

Expected Outcomes:

1. Having a unified plan and policy regarding continuances will communicate to court participants and court staff that the court expects settings to go forward as scheduled.
2. Enforcing the courts' unified plan and policy regarding continuances will ensure that parties properly plan for hearings.
3. Having a unified plan regarding caseload management sets clear expectations for court staff and court participants and underscores what happens should case management practices and expectations not be achieved.

Tools for Use in Implementation:

1. Sample Continuance Policy
2. Sample Caseload Management Plan

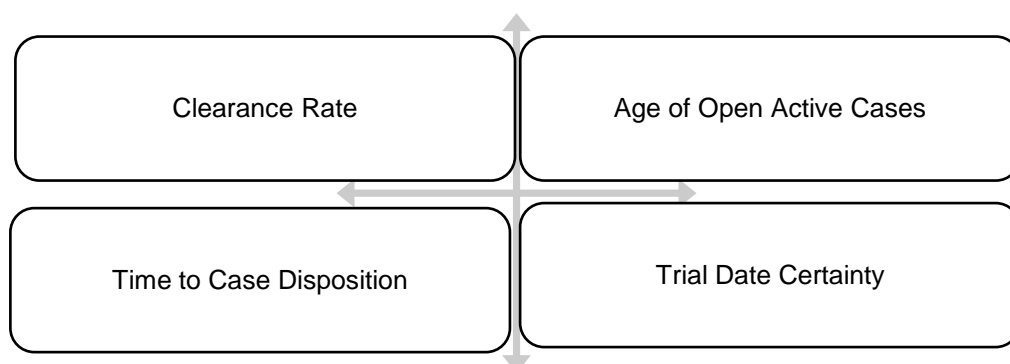
GOALS AND INFORMATION MANAGEMENT

Performance goals, performance measures, and data utilization are vital to understanding current caseload practices and leading actions to improve them. Critical elements in this area include: having time performance goals for caseload and case events; recording and using caseload performance data on aspects of case handling; utilizing performance metrics to discuss, evaluate, and enhance caseload actions; and

publishing information about caseload performance goals and outcomes, internally with all court judges and staff, with justice partners, and with Tarrant County administration.

The use of performance goals is also essential to setting the direction and focus on caseload practices and outcomes. Having goal- and time-bound targets and standards has the effect of driving how the court processes and moves cases from filing court final adjudication.⁶ These targets establish a framework for the court to employ performance standards on which performance and progress may be measured. As performance goals are set and used, courts take measures on caseload actions by using proven caseload performance measurement areas. The Trial Court Performance Standards and the CourTools Measures provide that structure on which to measure caseload outcomes.⁷ That includes measures such as: the court clearance rate (numbers of cases concluded as a percentage of numbers of cases filed); age of open, active cases; time to case disposition; and trial date certainty to measure the number of times a case is set for trial before it actually goes to trial.

Figure 10 - CourTools Measures for Caseload Management

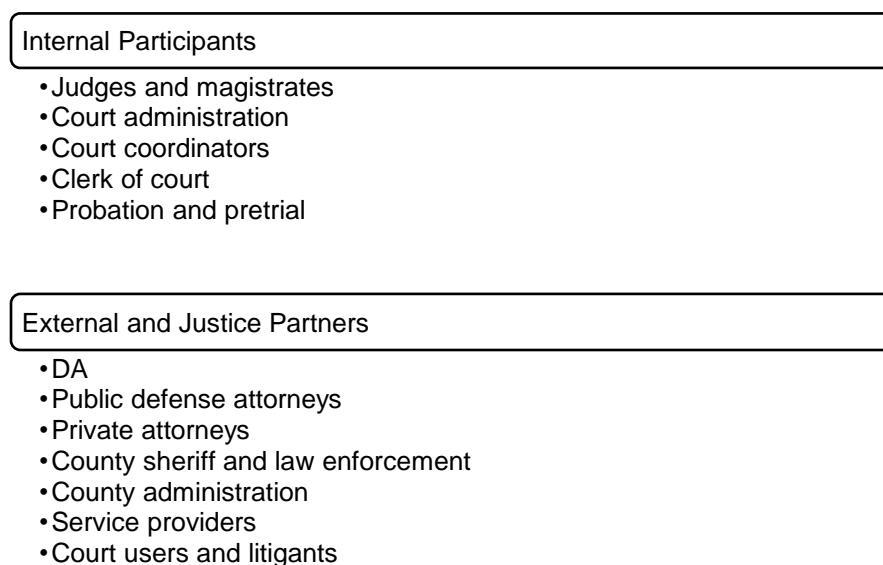


Data utilization makes use of caseload performance information to assess how well a court and judges are achieving progress on caseload goals. Utilization of data includes publication of regular and periodic caseload metrics, the provision of updates to system stakeholders, and ensuring time and venues to discuss the measures and outcomes. Sharing of information about case and caseload practices is best shared widely, as it can educate court staff and others about the important work of the court. An illustration of partners to include when publishing and sharing in caseload performance outcomes is noted below.

⁶ The Model Time Standards for Trial Courts articulates time and timeliness standards for the judicial branch in recognition of the importance of having case disposition targets. See Model Time Standards for State Trial Courts, National Center for State Courts, August 2011, <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1836>

⁷ CourTools Measures may be studied at <https://www.courtools.org/trial-court-performance-measures>.

Figure 11 - Illustration of Justice Partners



Observations:

The court does not have published caseload performance goals or targets. Each court and each judge applies individual caseload preferences and expectations that are shared with case parties.

The Supreme Court of Texas has published local rules for the Tarrant County Courts.⁸ The local rules include expectations regarding courtroom decorum, conduct of counsel and parties, docket management, case transfer procedures between courts, information for attorneys (appearance, withdrawal, substitution, appointment, fees, vacation, or absence notification), and expectations for conflicting settings. The local rules do not include time expectations or performance goals. Among the caseload related details are the expected settings within a case:

- Initial appearance
- Pretrial
- Announcement
- Disposition

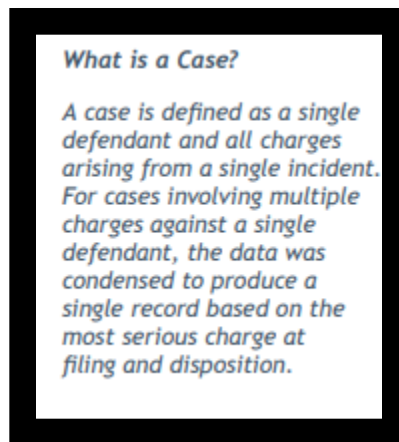
Continuances are mentioned in the existing local rules with the following information:

⁸ Supreme Court of Texas, Approval of Local Rules for Tarrant County Courts, Misc. Docket No. 12-9079, dated May 8, 2012, <https://www.tarrantcounty.com/content/dam/main/criminal-courts/Documents/LocalRulesforMisdCases.pdf?linklocation=Documents&linkname=Local%20Rules%20-%20Misdemeanor> .

“A motion for continuance must be in writing, under oath, and presented in open court with all parties present, as required by the Texas Code of Criminal Procedure Chapter 29. A continuance may only be granted for the prosecution or the defense for sufficient cause shown, as defined by statute.”

The court uses a dashboard with case filing statistics. Dashboard data is culled from the county sponsored case management system, and updated on a daily basis, posted on the court website, and used by the judges/staff and public. Examples of data within the dashboard include the items below:

- Pending in the beginning year
- YTD filed cases
- YTD transfer cases
- YTD disposed cases
- YTD files minus disposed
- Pending cases
- Settable cases
- Settable cases defendants in jail
- Special case
- Clearance rate
- Percentage of total pending cases
- Percentage of settable defendants in jail



ECCM

Figure 12 - Current Data Dashboard



Tarrant County Misdemeanor Courts Judicial Dashboard

Misdemeanor Courts Summary*

Court Code	CCC1	CCC2	CCC3	CCC4	CCC5	CCC6	CCC7	CCC8	CCC9	CC10	CODP	Result
Pending in the Beginning Year	2,075	2,437	2,036	2,529	1,980	2,591	2,714	2,534	2,289	1,876	0	23,061
YTD Filed Cases	2,207	2,224	2,151	2,100	1,896	2,105	2,185	2,133	2,368	2,149	0	21,518
YTD Transfer Cases	-9	9	-70	-129	609	-132	-22	-74	160	-61	0	281
YTD Disposed Cases	2,338	2,517	2,184	2,428	2,179	2,509	2,562	2,646	2,533	2,117	0	24,013
YTD Filed Minus Disposed	-131	-293	-33	-328	-283	-404	-377	-513	-165	32	0	-2,495
Pending Cases	1,944	2,143	1,985	2,150	1,784	2,129	2,348	2,069	2,119	1,908	19	20,579
Settable Cases	1,103	750	1,160	735	1,193	1,256	1,202	1,131	1,193	752	19	10,475
Settable Cases Defendants in Jail	283	128	222	105	258	216	311	184	295	184	0	2,186
SpecialtyCase	82	163	74	118	133	112	122	194	696	124	0	1,818

*Courts which operate Specialty Court programs may have higher numbers in some categories due to transfer of cases from other courts into a specialty program.

Misdemeanor Courts Percentages*

	Court Code	CCC1	CCC2	CCC3	CCC4	CCC5	CCC6	CCC7	CCC8	CCC9	CC10	CODP	Result
Clearance Rate	%	105.94	113.17	101.53	115.62	114.93	119.19	117.25	124.05	106.97	98.51	X	111.59
Percentage of Total Pending Cases	%	9.45	10.41	9.65	10.45	8.67	10.35	11.41	10.05	10.30	9.27	0.02	10.00
Percentage of Settable Defendants in Jail	%	12.95	5.86	10.16	4.80	11.80	9.88	14.23	8.42	13.49	8.42	0.00	10.00

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The current dashboard presents the data by court number. However, it excludes definitions for the data categories and does not provide explanation of what the court codes mean, nor for abbreviations or terminology used (for example CCC1 or CODP, clearance rate, settable cases).

Categories used do not fully align with those used in the court performance measures (the CourTools: case age, time to disposition, clearance rate and trial date certainty). Dashboard data present year to date aggregation of data; that limits the ability to evaluate work volumes and makes it difficult to assess daily, weekly, and monthly workload volumes. It invites further questions about caseload management outcomes by the absence of proven caseload metrics. Current examples of data from the dashboard indicate the following.⁹

- Wide variations in caseloads exist between judges. For example, for the current year (2022), beginning pending cases ranged from 2,714 cases for one judge, to 1,876 cases for another judge. This is a variation of 30%, which represents a significant workload variation between the two judges.
- Of the settable cases (active cases that are subject to trial setting), one judge has a total of 1,256 cases and another has a total of 735 cases, which is a difference of 41%.

⁹ From Tarrant County Misdemeanor Courts Judicial Dashboard, published November 7, 2022.

Apart from the dashboard data, the clerk of the court transmits reports and data to the Texas Office of Court Administration (OCA). The OCA compiles data from all courts in Texas into annual reports and data sheets. Examples of data extracted from the OCA reports include the following.¹⁰

- From 9/1/2020 through 8/31/2021, there was a 93.6% clearance rate for criminal cases in Tarrant County, with a backlog index of 0.6%.¹¹
- For Fiscal Year 2021, overall new misdemeanor cases had been falling since 2007 and declined further in 2020 due to the pandemic and a significant decline in drug cases. 2021 filings were down almost 50 percent from the 2007 peak and were the lowest since at least 1985.¹²
- Comparing number of cases filed from calendar year 2017 to 2022, case filings dropped by 36%. Pandemic influences may have impacted case filings.
- Comparing the number of cases concluded or closed from 2017 to 2022, case closures were down by 39%, again perhaps an indication of pandemic effects. In 2021, the court increased the numbers of cases concluded, but ended the year remaining down 3% from 2017.
- When looking at the age of open cases, the court lost ground from 2017 to 2021, with a 35% increase in case age, the amount of time a case remains open in the system.

Observations and comments from the site visit indicated minimal or no use of the OCA data and reports by the court clerk, with a preference for use of the county-based dashboard by some courts and judges. This absence of reliance on data, and consistent use of data sources, for decision making is a missed opportunity to utilize data for caseload process evaluation, consideration of individual judge actions, and deliberation among the judges and court administration.

Optimal use of caseload management data uses metrics intended to inform the court about caseload efficiency, effectiveness, productivity, and procedural satisfaction. These counting techniques make use of concepts from the High Performance Court Framework and the CourtTools Measures.¹³

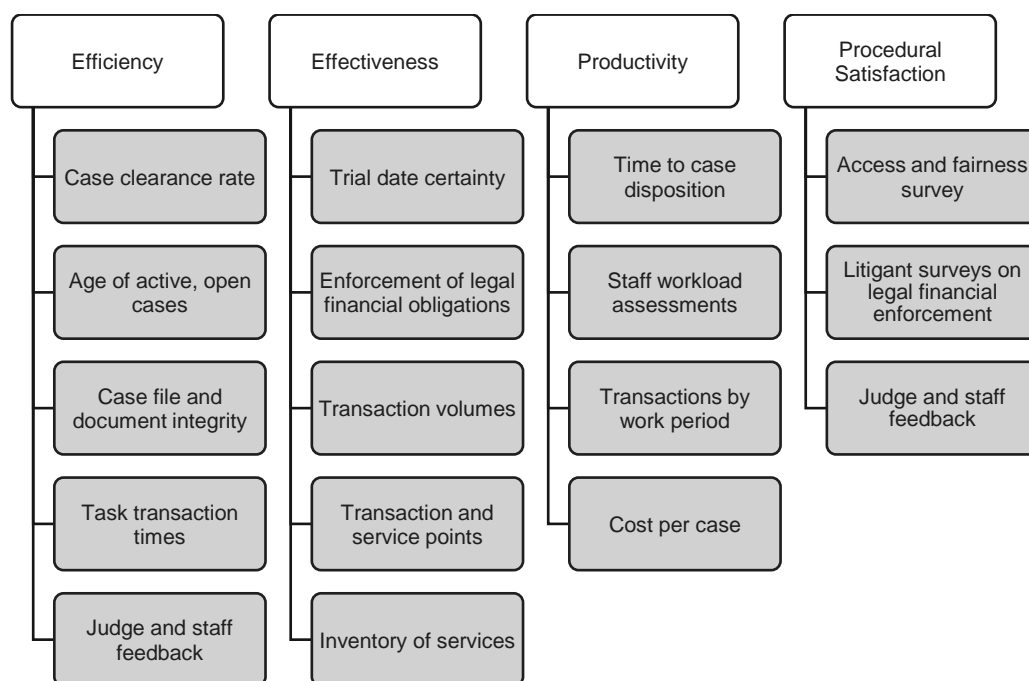
¹⁰ Data extracted from Texas Supreme Court County Level Courts, misdemeanor Case Activity Detail for January to December, calendar years 2017, 2018, 2019, 2020, 2021 and 2022 (through September 2022).

¹¹ The backlog index is intended to measure the pending caseload against the court capacity to dispose of the caseload within the prescribed time period. See <https://www.txcourts.gov/media/1453836/8-scc-performance-measures.pdf>.

¹² <https://www.txcourts.gov/media/1454127/fy-21-annual-statistical-report-final.pdf>.

¹³ <https://www.ncsc.org/consulting-and-research/areas-of-expertise/court-management-and-performance/high-performance-courts/high-performance-court-framework> and <https://www.courttools.org/trial-court-performance-measures>.

Figure 13 - Caseflow Management Measurement Areas



Staff use coding in the case management system differently. For example, there are codes for pre-trial conference docket (PC), pre-trial hearing (PT), pre-trial hearing one (P1) and pre-trial hearing two (P2). When observing a settings journal where three (3) pre-trial hearings were set, each one was coded as (PT), with a note in the "reason" field of the number of the pre-trial. If the court would like to extract data to understand the average number of cases which have two or more pre-trial hearings, one would have to extract all of the pre-trial coding and attempt to determine the significance instead of just extracting the P2 coding. Likewise, if there was continuance coding specific to the party requesting the continuance, the court could extract data to see if the majority of continuances were being sought by the DA or the defendant. There are two codes for restitution hearing (RH) and (RT), and the motions hearings are either coded (MD) or (MT). Motion to suppress has its own code, (MS), which is excellent to be able to analyze the number of suppression hearings. These variations, which have subtly evolved over time create the need for the clerk's office and courts to evaluate coding and data entry practices, to ensure consistency, data usability, and reliability.

Challenges:

1. A major challenge that impacts support for implementing broad use of data among the judges is the strong preference for individual discretion in managing each court docket and practices. That is coupled with lack of knowledge and distrust of data.
2. Observations and interviews indicated that judges preferred to compare aggregate numbers of cases assigned and numbers eligible for trial, with the goal of explaining that a particular court has a higher work volume and effort.

3. The court and judges, and by extension court staff/coordinators do not have a direct connection to case status and data collection importance. This results in lack of data integrity and the need to understand how all the events, data, and system entry link to accuracy of data so that the court/judges, and staff may rely upon the metrics.
4. Current protocols for the collection of data are fragmented with the clerk of court transmitting data to OCA, the dashboard data pulling from the court/county overseen database, and on occasion a court coordinator extracting data from the OCA data collection.
5. Currently staff – court wide - are not trained nor expected to use data with consistency in definition and meaning. Some court coordinators make use of data, however, the practice is not present court wide.
6. Statistics and caseflow related information are not currently packaged and presented in a useful way for judges and court coordinators.
7. Staff, inclusive of judges, court coordinators, and court administrative staff have not had recent training and orientation on the use of metrics, what they mean, and how they can be beneficial to support caseflow management practices.

Recommendations:

1. Make caseflow practices and performance a priority for all courts and judges.
2. Establish clear caseflow performance goals to define the amount of time expected between events, the time goals for cases to proceed to trial, and target timelines for all cases to move to conclusion.
3. Revise the Local Rules. The Supreme Court of Texas has recently directed that all courts use a specific protocol for the creation, vetting, and publication of local rules.¹⁴ The Tarrant County Courts will need to adhere to the rule creation process when they revise the currently outdated rules.
4. Create knowledge and trust in data and caseflow metrics by orienting judges, court coordinators and all court administrative staff on the measures, definitions, and how data is compiled. The newly hired data and policy specialist should compose and implement a policy regarding data integrity and then train staff on the proper use of coding.
5. Conduct a full case inventory and perform data clean up on all cases. This may include correcting miscoded case status, routing cases to the DA to complete

¹⁴ The Supreme Court and Court of Criminal Appeals have approved amendments to Texas Rule of Civil Procedure 3a, Texas Rule of Appellate Procedure 1.2, and Texas Rule of Judicial Administration 10 effective January 1, 2023. (See [Misc. Docket No. 22-9081](#) and [No. 22-006](#).) The amendments remove the requirement that the Supreme Court approve local rules, provide that local rules, forms, and standing orders must not conflict with other law or rules, and provide that, beginning January 1, 2023, local rules, forms, and standing orders are not effective unless published on the OCA's website. Judges should review the Notes and Comments included with the changes to ensure that local rules, forms, and standing orders comply with statutory and rule-based requirements.

prosecution actions, or administratively closing cases as allowed by statute and rule.

6. Use data reports on a regular basis to inform judges and court staff on caseflow practices and areas for improvement. Become comfortable with data from the OCA, the clerk's office, and specialized data reports that may be created in an ad hoc manner.
7. Revamp the current dashboard to be more inclusive of caseflow management related statistics (clearance rate, age of open pending cases, time to disposition, and trial date certainty).
8. Create additional caseflow metrics to inform and educate the court, judges, and staff about caseflow practices. These measures can include transaction volumes, numbers of settings for events beyond trials, trends, and rates for overall caseflow outcomes.

Expected Outcomes:

1. A primary outcome of increased use of goals and data will be greater comfort for the judges and court coordinators to use data.
2. When the court has greater use and dependance on metrics, the court, judges, chief judge, and court administrator can draw upon that data to share reports and information, and, speak with greater confidence to explain the important work of the court. This will serve to dispel some perceptions, currently present, that the court is not doing all it can to effective process misdemeanor cases.
3. The court will have materials for increased publication and dissemination of caseflow data for the public, court users, and system stakeholders.
4. A policy which standardizes and defines the proper use of each code used in the case management system and directs staff to use the proper coding will allow courts to extract data from the CMS for management purposes.

COMMUNICATION AND COLLABORATION

Caseflow management is enhanced when the court has frequent, open communication with other justice partners. Courts that have maximized interactions with justice stakeholders have found success in using and changing caseflow practices.

Establishing collaborative partnerships with the prosecutor, the defense bar, the local detention facility, other law enforcement agencies, the county administration, and the clerk of court, enable the justice system to identify potential issues before they become unmanageable.

Collaboration and outreach by the courts also serves as the communication channel and the venue at which to anticipate problems and develop collaborative problem solving. Collaborative interactions over time contribute to better understanding of other points of view. These can be helpful and powerful for decision making.

Observations:

Tarrant County criminal courts have, in the past, engaged in a collaborative team that was facilitated by County Administration rather than the courts, who are ultimately responsible for the caseload management. The felony courts were able to establish a caseload management plan during that collaboration.

At present, there is no formal collaboration between the criminal courts and their justice partners. In addition, the county courts do not regularly meet en banc. The courts do publish a dashboard on their website, although some believe the statistical data contained there is not accurate.

The county courts do maintain communication as part of the regular "jail run" dockets to help move in-custody defendants through the system, and the court does prioritize in-custody cases. There is some concern that there is a data entry backlog which delays bond and return information to the courts.

There are delays in case processing due to issues related to lab results and victim notification. The prosecutor assignment on cases changes rapidly, causing additional delay to get a new prosecutor up to speed on prior offers and case status. This represents an area fruitful for communication and collaboration.

Challenges:

1. The prior collaboration between justice partners was facilitated by County Administration rather than the court.
2. The county judges do not meet regularly en banc or as a group.
3. There is a lack of mutual understanding between the justice partners regarding delays caused by slow lab results, victim notification and prosecutor case assignments. For example, law enforcement leaders indicated to the project team that courts were not routinely ordering reimbursement for lab testing. This in turn leads to the law enforcement agency using a lab which is less expensive, but also produces results in a less timely manner. These types of issues become circular.

Recommendations:

1. The county court judges should meet en banc, as a group, once a month, with a written agenda prepared and distributed to the judges and court administration prior to each meeting. The meetings should be staffed by the court administrator and any decisions made during meetings should be reduced to writing and widely distributed to justice partners, court staff and if applicable, the public. Other court personnel should attend meetings as needed to present data.

2. The county courts should develop and post on their website, a dashboard providing public information regarding pending cases. In addition, development and sharing of internal statistical data that can be shared with judges and staff to assist in decision-making and goal setting, should be priority.
3. The county courts should review and revisit the county court rules adopted by the Texas Supreme Court in docket number 12-9079, on May 8, 2012, making any revisions, as necessary.
4. The Tarrant County Criminal Courts (both felony and misdemeanor), should establish a conference of justice partners, or criminal justice coordinating committee, comprised of the presiding district court judge, the presiding county court judge, the court administrator, a lead court coordinator, clerk of court, the prosecuting attorney's office, the president of the defense bar, the captain of the detention facility (or designee), chief of police of large, medium and small cities, county administration, data management specialist and information technology. This conference should meet at regular intervals, but not less than quarterly, to consult, discuss and problem-solve together, any issues regarding caseflow management and any other issues that may arise. Actions from this group should be noted in meeting minutes and utilize a chair from the group of judges; this role could be rotated on an annual basis.

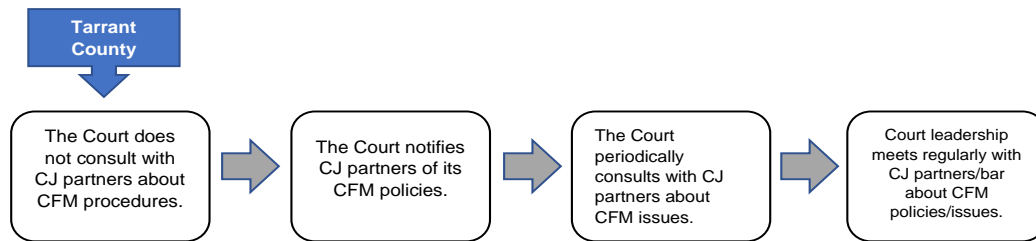
Expected Results:

1. Well-structured and regularly attended meetings by judges en banc or as a group accomplishes many things: collegiality; collaborative decision-making; and alignment of goals and standards.
2. Sharing important court statistical information with the public and judicial partners in a transparent way encourages dialog between justice partners and informs the public of the court activities. Sharing information with staff helps develop a problem solving relationship necessary to achieve good caseflow management practices.
3. The county court rules were adopted in 2012 and should be brought to current standards of practice which clearly provide direction on caseflow management practices.
4. A conference of justice partners, led by the judicial branch, allows for collaboration necessary for good decision-making. Gaining the perspective of other justice partners develops insight and fosters a problem-solving atmosphere.

Tools for Use in Implementation:

1. En Banc (Bench Meeting) Sample Agenda
2. Dashboard or Revised Data Report
3. Tarrant County Court Rules – 2012 and Revised Local Rules
4. Sample Charge - Criminal Justice Partner Committee

Figure 14 - Caseflow Maturity Model Rating on Caseflow Success with Communication and Collaboration



CONCLUSION

OTHER AREAS FOR ATTENTION AND CONSIDERATION

Two additional areas for focus and attention are important: court leadership and ongoing evaluation of court actions and the creation of new court interventions to improve upon caseflow practices.

Court leadership over caseflow practice is the most prominent area for attention, apart from the specific caseflow best practices already noted. The court should find ways to exhibit leadership in delivering, discussing, and improving caseflow processes and ensure that caseflow management and all related actions are treated as a court wide priority and primary responsibility of the court as a collective whole and group of judges. Caseflow oversight and case attention merits daily and weekly attentiveness by the judges, court coordinators, DAs, and public defense counsel. To fully demonstrate that priority, the court and judges should publish information about caseflow practices, publish and share court performance data with the county and justice partners, and ensure that expectations and outcomes are transparent.

Ongoing court/judge leadership over caseflow can sustain the ongoing work for improvements. A post pandemic webinar asserted effective caseflow practices learned from pandemic influences. Of note, courts should continually evaluate caseflow practices and employ interventions or actions to improve case handling. The court as a group should continually evaluate and create “interventions,” or newly deployed resources, actions, or practices that may contribute to and create improvements in caseflow and case handling. Not all interventions require large resources. The chart below illustrates potential interventions that a court may consider and the variation in potential costs.¹⁵

Figure 15 - Caseflow Interventions to Consider

\$ - Low/Minimal Cost	\$\$ - Mid Range Cost	\$\$\$ - More Costly
<ul style="list-style-type: none">• Triage cases to identify early intervention/ diversion programs• Dedicate team (staff) to dismissal docket• Target older cases with designated resources (e.g., retired judges, prosecutors, defenders, etc.)• Track/reduce the # of appearances• Review resources/best practices for defendants without attorneys	<ul style="list-style-type: none">• Increase bench time for judicial officers• Offer a warrant amnesty event• Establish/send automated court data reminders• Require case scheduling order on all open or backlogged cases• Establish behavioral health diversion options	<ul style="list-style-type: none">• Implement/expand e-filing• Increase the number of judicial officers• Hold longer court hours (e.g., night court or Saturday court)

¹⁵ See the National Center for State Courts Webinar on “Launch of the Backlog Simulator,” at <https://vimeo.com/751675659> and <https://nationalcenterforstatecourts.app.box.com/s/n7w8zu89tbayfjr0qz6h7mn6nrg0x6qh/folder/173735150984>.

The purpose of this evaluation and report was to “shine a light” on current misdemeanor criminal caseflow management practices and identify areas and recommendations for improvements. The court is positioned to commence and take actions specifically for caseflow management improvements.

Under terms of this consulting engagement, caseflow management training and orientation is envisioned for the judges, court coordinators, and court administration. During that training, further discussion and consideration of caseflow practices will be invited with the collective group to create clear action plans and build support for changes. In depth assessment of practical, proven, caseflow techniques will build upon the findings and recommendations included in this report and evaluation.

The court is well positioned with judicial leadership, court administration leadership, and the addition of newly elected county court judges who each bring insights for ways to contribute to the system. Improvements will benefit the judges, system partners, and most importantly court users and litigants. Supporting elements include:

- The chief or presiding judge and court administrator jointly desire to create and leverage ways for caseflow improvements, while recognizing current actions are not creating better processes.
- The leadership role of the chief/presiding judge and court administrator can be used to advance and support processes to move cases through the system while ensuring access and services for both the defendants and the victims.
- The court is served by a judicial staff attorney and a newly created data and policy specialist, who can jointly and individually become the in house caseflow practice experts, and advance and support caseflow management improvements.

RECOMMENDED HIGH PRIORITY ACTIONS

The following items are recommended for priority action within the next three to six months. These will affirm the foundation for ongoing attention to caseflow management practices.

Leadership and Governance – and - Communication and Collaboration

1. Establish an en banc or bench meeting protocol and convene judges’ meetings. This should include a regular meeting schedule (e.g., the second Monday of every month from 9:00 am to noon). Decide on the method by which items are included on the agenda (e.g., sending items to the presiding judge or the court administrator). Decide which items are relevant for en banc as opposed to the administrative team. Develop a policy on the method by which decisions will be made, which decisions

will be communicated to justice partners and how that will be accomplished, who will reduce decisions to writing and distribute them, etc.

2. Convene a meeting with justice partners. Schedule the first meeting of justice partners as soon as it can be scheduled for optimal attendance. Include justice partners to share and obtain caseflow information and seek their discussion on practices will allow the court to garner understanding and support for caseflow practices.

Goals and Information Management

1. Adopt a caseflow management plan and a continuance policy. Ensure that the policy for each is communicated widely and conduct training for court staff and judicial partners.
2. Review and modify the misdemeanor local court rules last revised in 2012. Incorporate and codify current expectations and practices. Review the local rules on an annual basis for further revisions and amendments.
3. Adopt a policy to ensure the integrity and accuracy of data. Regularly review the case management system data entry codes and provide review and training for court and clerk staff. Use quality assurance reports to monitor data quality on a quarterly basis.
4. Include discussions with the clerk of the court on data collection, areas for improvement or expansion, and data integrity.

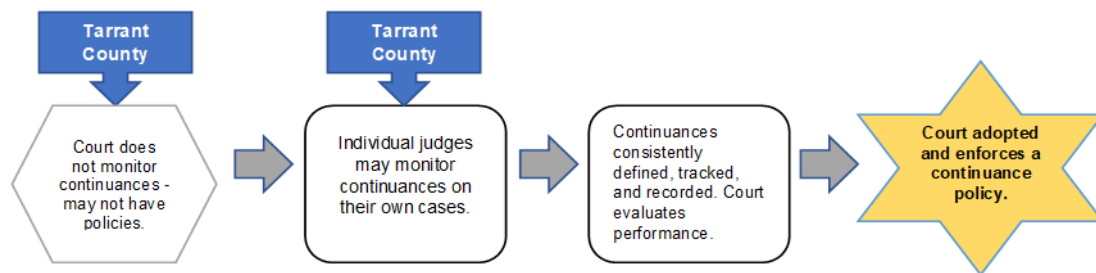
Early Court Intervention and Control - and - Predictable and Productive Court Events

1. Inventory the full caseload to understand case status. Begin actions to correct case information or case status entries, schedule events to bring cases to current status, and close cases where possible.
2. Strive for agreement across all judges on expected case events and timing. Engage judge discussions at bench meetings and formalize agreements.

Figure 16 - Priority Actions for the Next Three to Six Months

Priority Actions to Take within the Next Three to Six Months	Establish a bench meeting protocol and convene judges' meetings
	Convene a meeting with justice partners
	Adopt a caseload management plan and a continuance policy
	Revise the local rules
	Adopt a data integrity policy and plan
	Meet and coordinate with the clerk of the court
	Inventory the full caseload
	Seek agreement among the judges on case events and timing

Figure 17 - Maturity Model Rating for Caseload Success with Continuance Monitoring



APPENDICES

Summary Listing of All Caseflow Elements, Observations and Recommendations

Summary Chart of Caseflow Elements, Observations, and Recommendations			
Elements of Effective Caseflow Management	Explanation and Examples	Observations at Tarrant County Court	Recommendations
Leadership and Governance	<ul style="list-style-type: none"> Judicial support and commitment Active caseflow management Clear roles for judges and administrative staff 	<ul style="list-style-type: none"> Judges do not meet en banc Lack of uniform policies and procedures Lack of involvement by staff and justice partners 	<ul style="list-style-type: none"> Hold regular meetings of judges en banc Adopt policies and procedures Create a standing committee on caseflow management
Early Court Intervention and Control	<ul style="list-style-type: none"> Court management of case progress Continuous court oversight Effective scheduling and calendaring Continuance control Management of discovery exchange 	<ul style="list-style-type: none"> Multiple protocols Lack of court control of caseflow Multiple continuances Magistrates do not receive adequate information 	<ul style="list-style-type: none"> Obtain statistics on continuances Adopt a caseflow management plan Adopt a continuance policy Empower a committee to evaluate performance data
Predictable and Productive Court Events	<ul style="list-style-type: none"> Clear expectations that events occur when scheduled Advance notices of event absences Firm continuance policy Early case resolution as appropriate Early appointment of counsel Firm trial dates 	<ul style="list-style-type: none"> Minimal backlog Multiple protocols Magistration demonstrates that single policy can prevail No firm policy on continuances Discovery issues No expedited disposition program 	<ul style="list-style-type: none"> Develop a continuance policy Develop caseflow management policy/procedures Communicate the court's expectations to staff and justice partners
Goals and Information Management	<ul style="list-style-type: none"> Use of meaningful time standards and guidelines Use of broad performance goals State sponsorship and local support for performance goals Interim event management Effective management reports 	<ul style="list-style-type: none"> No time expectations or performance goals Dashboard information may be inaccurate Use of data from OCA is limited Lack of policy regarding data integrity 	<ul style="list-style-type: none"> Establish clear performance goals Improve on dashboard content and accuracy Establish data integrity guidelines Create additional caseflow metrics
Communication and Collaboration	<ul style="list-style-type: none"> Frequent and sustained communication: judges and court staff Collegial bench Problem solving culture Collaboration with justice partners 	<ul style="list-style-type: none"> Prior collaboration team Justice partners are not regularly included 	<ul style="list-style-type: none"> Establish en banc protocol Improve upon dashboard Revisit and revise the county court local rules of 2012 Establish a conference/committee of justice partners

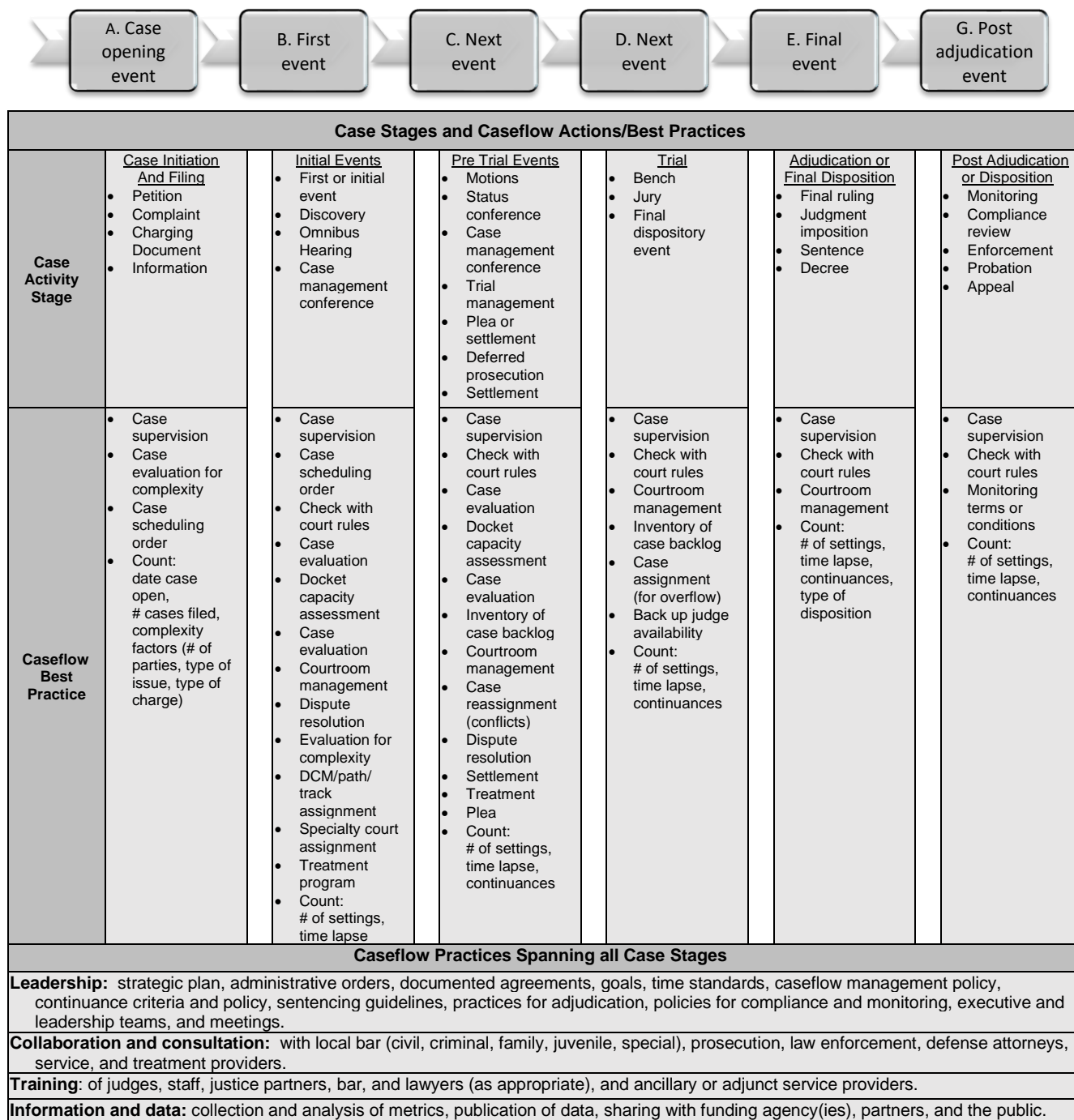
Summary of Caseflow Best Practices and Examples in Use

Best Practice	Examples in Use
1. Leadership and Vision	<p>Publish a court mission and vision statement</p> <p>Publish a strategic plan with caseflow objectives</p> <p>State caseflow expectations</p> <p>Ensure judicial support for caseflow practices</p> <p>Issue administrative orders and directives</p> <p>Convene senior and executive team meetings</p> <p>Have court wide rules, policies, and procedures</p> <p>Publish a caseflow management policy</p> <p>Publish a court continuance policy</p> <p>Conduct outreach to staff and stakeholders about caseflow</p> <p>Use bench/bar meetings</p> <p>Utilize technology practices to support caseflow</p>
2. Court Supervision of Cases	<p>Seek realistic scheduling</p> <p>Ensure calendars and dockets have meaningful events</p> <p>Use case scheduling and firm dates</p> <p>Ensure firm trial dates</p> <p>Use active case review and screening</p> <p>Consider use of case scheduling orders</p> <p>Provide review and awareness of case complexity and need</p> <p>Use interim and ongoing review of cases</p> <p>Manage and limit continuances</p> <p>Use pretrial and readiness events</p> <p>Be aware of and review case inventory</p> <p>Manage and limit case backlogs</p> <p>Manage cases post-disposition</p>
3. Standards and Goals	<p>State and publish caseflow objectives and goals</p> <p>Target processing time goals and performance deadlines</p> <p>Provide outreach and training for staff and stakeholders on goals</p>
4. Control of Continuances	<p>Use a court continuance policy</p> <p>Collect data on caseflow practices</p> <p>Collect and discuss data on continuances</p>
5. Early Case Disposition	<p>Provide case monitoring for settlement and disposition</p> <p>Use dispute resolution and settlement practices</p> <p>Convene settlement discussions at each court event</p> <p>Seek early case resolution and settlement</p>
6. Consultation with Stakeholders	<p>Convene regular meetings to discuss and share caseflow processes</p> <p>Outreach to justice partners/stakeholders</p> <p>Collaborate with system partners</p> <p>Communicate expectations for attorneys and parties</p> <p>Communicate with staff</p>
7. Monitoring and Use of Information	<p>Track and monitor caseflow activities</p> <p>Assess caseflow practices for adherence to rules, policies, and goals</p> <p>Use performance measures for efficiency, effectiveness, procedural satisfaction, and productivity</p> <p>Discuss caseflow practices and performance at bench, executive committee, and stakeholder meetings</p> <p>Share and publish measures to and from justice partners</p>
8. Utilization of Technology	<p>Use varied technologies to support caseflow and case handling</p> <p>Seek technology integration between different caseflow systems</p> <p>Strive for data information sharing</p>

Caseflow Stages with Caseflow Actions at Each Stage

Typical Caseflow Stages with Actions for a Generic Court Case

Caseflow management best practices and techniques are arranged in each stage in the life of a case to illustrate tangible and actionable practices that can be institutionalized. Some practices span all case phases (noted at the bottom of the chart below: leadership; interaction with justice partners; training/education internally and in partnership with the court; and utilization of information and data).



Sample (Revised) Local Rules

Sample Revised Local Rules (Outline of Suggested Content)
<ol style="list-style-type: none">1. Directive or statement of authority2. Rules governing court operations and authorities3. Case filing and initiation4. Calendar and docket management5. Discovery and disclosure6. Continuances and adjournment practices7. Conflicting settings with other courts8. Transfer of cases between courts9. Attorneys<ol style="list-style-type: none">a. Prosecutionb. Appointment of counsel, fees, and paymentc. Withdrawal or substitution of counseld. Conflicts10. Notifications and communication with the court and court staff11. Courthouse and courtroom protocols12. Enforcement, monitoring, and revision of these local rules13. Statement of agreement and support for the local rules and prescriptions therein

Sample Caseflow Management Plan

Sample Caseflow Management Plan (Outline Form with Key Content Areas)
<ol style="list-style-type: none">1. Statement of Purpose of Caseflow Management Plan2. Goals of the Court3. Caseflow Performance Time Standards, Goals, and Guidelines<ol style="list-style-type: none">a. Caseflow processing objectivesb. Caseflow Time Goals and Guidelines<ol style="list-style-type: none">i. Time goals for first court eventii. Time goals and deadline for motionsiii. Time goals and deadline for discovery and disclosureiv. Time goals and deadline for case management conferencev. Time goals for final trial readinessvi. Time goals for trial date4. Caseflow Forms for Use<ol style="list-style-type: none">a. Motionb. Continuance Requestc. Scheduling Orderd. Final Pre Trial Order5. Case Docket and Scheduling Policy6. Case Continuance, Postponement, and Adjournment Policy7. Backlog Evaluation and Reduction Practices8. Case Events to Be Utilized<ol style="list-style-type: none">a. Initial/first appearance (magistration)b. Announcementc. Dispositiond. Pre Triale. Trialf. Sentencing9. Case Settlement or Dispute Resolution Practices10. Trial Scheduling and Management Policy<ol style="list-style-type: none">a. Weekly trial schedule for each courtb. Motions prior to trial11. Caseflow Monitoring Systems and Evaluation<ol style="list-style-type: none">a. Case management system data entriesb. Quality assurance actionsc. Statistical reports – utilization and dissemination

Sample Continuance Policy

Sample Court Continuance Policy

This policy applies to all parties, including but not limited to, attorneys, service agencies providing case specific services, law enforcement, plaintiffs, petitioners, defendants, and respondents.

Continuance, adjournment or “passing” of a case means the delaying of a scheduled hearing or event to a later date without completing the current event or accomplishing the original purpose of the current hearing.

The continuance policy of this court is that continuances are limited to those parties demonstrating verifiable good cause and will only be granted on the motion of a party, in writing, and specifying the reason justifying the continuance. The continuance of any court event and trial date shall only be granted if extraordinary circumstances exist and that delay is indispensable to the interest of justice.

Judges and attorneys, prosecution and defense will maintain updated calendars indicating absences from or time that is unavailable from calendars and dockets. Parties will inform the court in written correspondence of any vacation, continuing education, or other absence so the court may enter times and dates into the case management system.

As a guide, the following will generally not be considered sufficient cause:

- Agreement by both parties for a continuance
- Assertion that the case has not previously been continued
- Assertion that the case will likely settle if a continuance is granted
- Information that discovery has not been completed
- Appointment or appearance of a new counsel

Examples of extraordinary circumstances:

- Unanticipated, sudden, or emergency illness or hospitalization of a party, witness, or counsel
- Documented indication that a party did not receive notice of the setting through no fault of that party or counsel
- Unanticipated absence of a material witness for either party
- Military duty of a party, witness, or counsel
- Filing of new charges in the county or district court
- Determination of out of state incarceration for a defendant
- Facts or circumstances arising or becoming apparent too late in the proceedings to be corrected or addressed, which in the view of the court, would likely cause undue hardship
- Scheduling conflicts with older or complex cases at other courts or courts with higher level jurisdiction

Granting a continuance for an event or trial will be the exception not the norm, and should use the following process:

1. Motions to continue an event or trial must be on the record, in writing and submitted to the court (the assignment judge) at least ten days prior to the hearing, and shall include the requesting party name, specific permissible reasons the continuance should be granted.
2. Parties must confer with opposing counsel prior to filing a motion to continue. The motion must indicate that conferral was made and the position of opposing counsel.
3. Motions for continuances may be mailed or delivered to the clerk of court during business hours, faxed, transmitted, efiled to the clerk of court; no original copy of the motion is required for faxed or emailed submissions. Motions for continuance may be accompanied by personal appearance at an event or hearing where the request may be made verbally in addition to the written submission. The clerk of court shall immediately present the motion to the assigned judge for review.
4. Continuance and adjournment requests will be handled by the assigned judge, unless that judge specifically requests assistance from another judge. Parties are discouraged from specifically routing continuance requests to a specific judge for the purpose of obtaining approval.
5. The court may continue the hearing, if it appears to be in the interest of justice and supported by the formal continuance request, for a period not to exceed 30 days, and if practicable, within a time period of less than 30 days.
6. All continuance requests and approvals shall be recorded in the court case management system with indication of the requesting party and the reason for case adjournment.
7. The court will evaluate all continuance data, reasons, and patterns on a regular basis, and will bring statistics on continuances for discussion at bench meetings.

(Note: court coordinators should be removed from the role of handling continuances. Parties may file their motion with the clerk and require the clerk to “present” the motion to the court as suggested by legal counsel.)

Sample – Memorandum of Plea Bargain Offer

Sample Plea Bargain Offer Form		
<p>Tarrant County Criminal Courts Tim Curry Criminal Justice Center 401 W. Belknap Fort Worth, Texas 76196-7678 817-884-1111</p>	<p>Today's Date: _____</p> <p>CCC: _____</p> <p>STATE OF TEXAS vs. _____</p> <p>Defendant</p>	
CAUSE NUMBER: _____		
MEMORANDUM OF PLEA BARGAIN OFFER		
On this date, the district attorney made the following offer to the defendant:		
The defendant pleads:		
_____	Guilty	
_____	No Contest	
to		
Count	Charge	Amended Charge?
_____	_____	Y/N
_____	_____	Y/N
_____	_____	Y/N
_____	_____	Y/N
Stipulated Sentence/Sentence Open		
\$_____	Court fines/fees/costs	
\$_____	Restitution	
_____	Days/Months in County Jail	
_____	Days/Years Deferred	
_____	Months/Years Regular Probation	
Other: _____		

_____ Attorney for Defendant	_____ Defendant	_____ Assistant District Attorney
_____ Print Name Bar #	_____ Print Name	_____ Print Name Bar #
_____ Phone #	_____ Phone #	_____ Phone #

Sample Pre Trial Case Management Order

Sample Pre Trial Case Management Order		
Case Number: _____		
THE STATE OF TEXAS vs. _____	& & &	IN COUNTY CRIMINAL COURT _____ TARRANT COUNTY, TEXAS
PRETRIAL CASE MANAGEMENT ORDER		
<p>1. <u>Date of Plea:</u> The Defendant entered a plea of "not guilty" on _____.</p> <p>2. <u>Jury/Court Trial:</u> This matter is set for a trial to jury/court on _____, at _____.m. ____ days are reserved for trial. The parties, including the Defendant, shall appear in person at _____.m. on the day of trial to discuss any pretrial issues. If the Defendant fails to appear, a warrant will issue.</p> <p>3. <u>Pretrial Readiness Conference:</u> This matter is set for a pretrial readiness conference on _____, 2____, at _____.m. Absent a showing of good cause, the pretrial readiness conference shall be the final deadline for consideration by the Court of a negotiated plea agreement. All parties, including the Defendant shall appear in person at the conference. If the Defendant fails to appear, the trial may be vacated, and a warrant may issue.</p> <p>4. <u>Motions and Notices:</u> All motions and notices, including any evidentiary motions, and any notices required by statute or court rule shall be filed no later than _____, 2____. Any responses to motions and notices shall be filed no later than _____, 2____. Parties shall confer with each other and include opposing counsel's position when filing a motion if possible.</p> <p>5. <u>Motions Hearing:</u> A motions hearing is set for _____, 2____, at _____.m.</p> <p>6. <u>Witness and Exhibits:</u> All witnesses, including expert witnesses, shall be endorsed by the motions/notices filing deadline specified above. Any objections to witnesses shall be filed by the response deadline specified above. Additional witnesses who become known to the parties following the deadline specified above, may be endorsed as soon as the party becomes aware of the witness, with good cause.</p> <p>7. <u>Discovery:</u> The parties shall comply with all rules of discovery.</p> <p>ORDERED this ____ day of _____, 2_____.</p> <p style="text-align: right; margin-right: 100px;">BY THE COURT:</p> <p style="text-align: right; margin-right: 50px;">_____ _____, Judge CCC____</p>		

Sample Motion for Continuance

Sample Motion for Continuance		
CASE NUMBER: _____		
THE STATE OF TEXAS vs. _____	& & &	COUNTY CRIMINAL COURT NUMBER: ____ TARRANT COUNTY, TEXAS
MOTION FOR CONTINUANCE PURSUANT TO TEXAS CODE OF CRIMINAL PROCEDURE CHAPTER 29		
<p>Comes now, the People of the State of Texas/the Defendant, by and through _____, and requests the court continue the above-captioned matter for a period of _____ days, and as grounds therefore states that:</p> <p>1. I have conferred with _____. He/She does/does not oppose the relief requested.</p> <p>2. I have provided the people/the defendant, with a copy of this motion by: _____</p> <p>3. ____ (Reason for continuance) _____</p> <p>4. The people have conferred with the victim in this matter and the victim is not opposed to the continuance. or If granted, a continuance will not impose undue hardship on the victim in this matter.</p> <p>I hereby certify that the facts contained within this motion are true and correct to the best of my knowledge and belief.</p> <p style="text-align: right;">_____ Attorney for People/Defendant/Defendant</p> <p>THE COURT, having reviewed the Motion for Continuance hereby:</p> <p style="margin-left: 40px;">_____ Denies the Motion</p> <p style="margin-left: 40px;">_____ Grants the Motion - Sufficient Cause was demonstrated.</p> <p>This matter is reset for _____ on _____, at _____ m. All parties shall appear. The defendant's bond, if any, is continued.</p> <p>Dated this _____ day of _____, 2____.</p> <p style="text-align: center;">BY THE COURT:</p> <p style="text-align: center;">_____ , Judge CCC ____</p>		

Sample Judges Meeting Agenda

**Tarrant County Courts
Judges/Bench Meeting
Date and Time
Meeting Location
A G E N D A**

- I. Announcements
 - a. Texas Supreme Court Updates
 - b. Legislative Changes
 - c. Court Administration Updates
 - d. Tarrant County Administration Information

- II. Program Feedback
 - a. New Case Management System Rollout
 - b. New Court Rules

- III. Discussion
 - a. Caseflow Management Program and Practices
 - b. Caseflow Performance Data

- IV. Other Updates or 'Round the Table' Sharing?

- V. Follow Up Actions from This Meeting
 - a. Responsible Person
 - b. Due Date

- VI. Next Meeting Date? Topics?

Sample Charge for a Justice Coordinating Committee

BYLAWS (Example from Arapahoe County Justice Coordinating Committee (ACJCC))

ARTICLE I

Name

The name of this committee shall be the Arapahoe County Justice Coordinating Committee (ACJCC).

ARTICLE II

Purpose

The purpose of the ACJCC is to create an ongoing forum that will:

- Allow for ongoing dialogue among decision makers of justice agencies, units of local government and other organizations that interface with the justice system;
- Provide for a better understanding of problems related to the justice system;
- Enhance cooperation and collaboration among justice agencies and units of local government;
- Establish clear objectives and priorities regarding justice issues;
- Improve planning and coordination to help individual justice agencies become more efficient, productive, and effective; and
- Provide for more effective resource allocation and better quality justice programs and personnel.

ARTICLE III

Authority

The ACJCC is an advisory and policy level committee, which was established by resolution of the Arapahoe County Board of County Commissioners ("BOCC") in 2007.

ARTICLE IV

Membership

Section 1. Membership by Position

There are eight voting members who are members due to the position they hold. These members serve on the ACJCC for as long as they hold the position, and are as follows:

- Chief Judge, Eighteenth Judicial District
- District Attorney, Eighteenth Judicial District Arapahoe
- County Sheriff
- Public Defender, Eighteenth Judicial District
- District Court Administrator, Eighteenth Judicial District
- Chief Probation Officer, Eighteenth Judicial District
- Executive Director, Aurora Mental Health
- Executive Director, Arapahoe/Douglas Mental Health

Section 2. Membership by Appointment

The BOCC may appoint the following to also serve as voting members of the ACJCC, for such term as may be determined by the BOCC:

- Two Commissioners from the BOCC
- The Mayor of an Arapahoe County municipality
- A City of Aurora representative
- An Arapahoe County citizen-at-large
- The Chief of Police of an Arapahoe County municipality
- The Executive Director of a community corrections provider in Arapahoe County

- A representative from a school district in Arapahoe County
- A member of the Arapahoe County Bar Association

Members by appointment shall serve at the pleasure of the Board of County Commissioners. When there is a vacancy, the ACJCC shall recommend one or more candidates to the BOCC as necessary to fill the vacancy.

Section 3. Member Duties

ACJCC members will:

- Set the agenda and areas of focus for the ACJCC.
- Establish Subcommittees of experts to address areas of focus
- Regularly attend meetings
- Serve on at least one Subcommittee
- Approve Bylaws, subject to Board of County Commissioners concurrence
- Vote on recommendations of the ACJCC, which recommendations shall always be advisory in nature.

Section 4. Alternate Designation

ACJCC members may designate an alternate to represent his or her interests and vote on matters that come before the committee. No alternate may vote on any matter before the ACJCC unless such person has been designated as an alternate by a voting member in writing, and such designation has been delivered to the Chair.

Section 5. Non-voting Membership

Non-voting membership may be offered to other interested parties. Additional parties interested in becoming non-voting members shall petition the Chair in writing, indicating interest and rationale for becoming a member. Non-voting membership shall be determined by approval of the ACJCC. Non-voting members may serve on subcommittees.

Section 6. Conflict of Interest

Any ACJCC member who is present at a meeting at which any matter is discussed in which he or she has a private pecuniary or property interest shall declare that he or she has a potential conflict of interest. He or she shall abstain from voting on such matter and shall refrain from attempting to influence the decisions of the ACJCC regarding the matter.

Section 7. Member Resignation

ACJCC voting members or non-voting members may resign at any time by providing written notice to the Chair. Upon resignation, any vacancy in a membership by appointment position shall be filled by the Board of County Commissioners after receiving recommendation(s) from the ACJCC.

ARTICLE V

Officers

Section 1. Officers

The officers of the ACJCC shall be the Chair and the Vice Chair. Additional officers may be elected or appointed by the ACJCC. An individual may not hold more than one office at a time.

Section 2. Nomination Procedure, Time of Election

A current member of the ACJCC may nominate any member of the ACJCC for an office. Nominations shall occur in the November ACJCC meeting, or as soon thereafter as practical.

Section 3. Election, Term of Office

Elections shall occur by majority vote of the ACJCC at the January ACJCC meeting, or as soon thereafter as practical. Terms of office shall begin at the close of the meeting at which officers are

elected, and are two years in length. Officers may be re-elected to serve an unlimited number of additional terms.

Section 4. Powers and Duties

Chair: It shall be the Chair's responsibility to:

- Set the agenda for each meeting of the ACJCC
- Preside at each meeting of the ACJCC
- Provide informational updates to ACJCC members regarding matters pertinent to their responsibility
- Represent the ACJCC and be the spokesperson for the ACJCC at governmental, community, or other meetings
- Sign letters and other official documents on behalf of the Committee

Vice Chair: It shall be the Vice Chair's responsibility to:

- Carry out all duties of the Chair in the Chair's absence

Section 5. Removal of Officers

Any officer elected by the ACJCC may be removed by an ACJCC vote of not less than two-thirds of the voting members present at a scheduled ACJCC meeting.

Section 6. Vacancies

A vacancy in any office because of death, resignation, removal, or other reason shall be filled by an interim appointment of the ACJCC until the next January. At that time, the selection of a new officer shall proceed according to the procedures set forth above.

ARTICLE VI

Meetings

Section 1. Regular Meetings

Meetings shall occur regularly at locations and times as scheduled, with a frequency of one meeting every month as practicable.

Section 2. Special Meetings

Special meetings of the ACJCC may be called by the Chair or by a majority vote of the ACJCC members.

Section 3. Strategic Planning Meeting

The CJCC shall convene biennially (i.e., once every two years) to review the ACJCC current strategic plan, modify the plan when appropriate, and begin initiatives consistent with the modified plan.

Section 4. Quorum

A simple majority of the voting members of the ACJCC, or their designated alternates, constitutes a quorum for the transaction of business.

Section 5. Votes Required for Action

All matters put to vote shall require the favorable vote of a majority of the ACJCC members or designated alternates present at the ACJCC meeting in order to be approved.

Section 6. Open Meetings

All meetings of the ACJCC and any of its subcommittees are open to the public.

ARTICLE VII

Subcommittees

Section 1. Establishment

Subcommittees may be established by the Chair with the approval of the ACJCC, or by the membership of the ACJCC, to serve the interests of the ACJCC, including, but not limited to, an executive subcommittee to assist the Chair in his or her duties including the setting of agendas.

Section 2. Members

Subcommittees shall be comprised of a subcommittee Chair, who shall be appointed by the ACJCC Chair, and other ACJCC members. Non-voting members may volunteer or be appointed to serve on subcommittees.

Section 3. Subcommittee Chair's Powers and Duties

It shall be the Subcommittee Chair's responsibility to:

- Hold at least one meeting every two months
- Set the agenda and preside at the meetings
- Set a course of action to address the goals and objectives of the subcommittee
- Review and approve subcommittee minutes prior to receipt by the ACJCC
- Report subcommittee activities, progress, outcomes, and issues to the ACJCC

ARTICLE VII

Staff

The BOCC may designate County employees to serve as staff to the ACJCC. Such staff shall at all times remain employees of Arapahoe County.

ARTICLE IX

Open Records

Minutes and records of the ACJCC are subject to the provisions of the Colorado Open Records Act and/or Colorado Criminal Justice Records Act. The Chair shall assure that a custodian is designated to maintain ACJCC records.

ARTICLE X

Parliamentary Authority

The rules contained in the most current edition of *Robert's Rules of Order Newly Revised* shall govern the ACJCC in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, any special rules of order the ACJCC may adopt, or as otherwise provided by law.

ARTICLE XI

Amendment of Bylaws

These Bylaws may be amended at any regular meeting of the ACJCC by *two-thirds* vote, provided that the amendment was previously submitted in writing to the ACJCC members, subject to approval by the BOCC.

These Bylaws were approved and adopted by the Arapahoe County Justice Coordinating Committee on October 3, 2014, and approved by the BOCC on December 16, 2014.

ADDITIONAL RESOURCES

Effective Criminal Case Management, National Center for State Courts

https://www.ncsc.org/_data/assets/pdf_file/0017/53216/Delivering-Timely-Justice-in-Criminal-Cases-A-National-Picture.pdf and <https://www.ncsc.org/consulting-and-research/areas-of-expertise/court-management-and-performance/caseflow-management/effective-criminal-case-management>

Caseflow Management Maturity Model, National Center for State Courts

https://www.ncsc.org/_data/assets/pdf_file/0013/53221/Caseflow-Management-Maturity-Model.pdf

Caseflow Cost of Delay Model, National Center for State Courts

https://www.ncsc.org/_data/assets/pdf_file/0017/53234/ECCM-Cost-of-Delay-Calculator.pdf

Court Performance Measures/CourTools, National Center for State Courts

<https://www.courttools.org/>

Model Time Standards, National Center for State Courts

<https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1836>

