#### Judicial Council Monthly Court Activity Reports

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#### **Today's Topics**

- □ Who decides what data will be collected
- □ Legal Requirements
- □ New Reporting Requirements
- □ Changes to Reports
- □ Report Submission to OCA
- ☐ Generating Activity Reports
- □ Directory Searches

# Who Decides What Data Will Be Collected

- ☐ Texas Judicial Council: policymaking body for the judicial branch, consists of 22 judicial, legislative, and citizen members
- ☐ Since 1929, one its primary duties has been to gather judicial statistics from judges and other court officials (Government Code section 71.035(a))
- □ Judicial Council, assisted by OCA, is the only entity that collects comprehensive statistics on the operation of the Texas courts

### **Legal Requirements** □ Texas Government Code, Chapter 71, Section 71.035(b): Judge/Clerk must submit monthly report as duty of office □ Texas Administrative Code, Sections 171.1 & 171.2: Report is due no later than the 20th of each month (e.g., report for July is due August 20) Report of Change in Mayor, Municipal Judge, or Municipal Court Clerk ☐ Section 29.013(a) of the Government Code requires the secretary of a municipality to notify the Texas Judicial Council of the name of each person who is elected or appointed as mayor, municipal court judge, or clerk of a municipal court within 30 days after the date of the person's election or appointment. Report of Change in Mayor, Municipal Judge, or Municipal Court Clerk ☐ The secretary is also required to notify the Texas Judicial Council of the name the mayor, municipal court judge or clerk that vacates such an office. NOTE: Judges include the presiding judge, associate judges, alternate judges, contracted judges or another other person who serves in a judicial capacity for the city.

# Report of Change in Mayor, Municipal Judge, or Municipal Court Clerk Report of Change in Mayor, Municipal Judge, or Municipal Court Clerk ...top... Section 29.013(a) of the Government Code requires the secretary of a municipality to notify the Texas Judicial Council of the name of each person who is elected or appointed as mayor, municipal court judge, or clerk of a municipal court within 30 days after the date of the person's election or appointment. The secretary is also required to notify the Texas Judicial Council of the name the mayor, municipal court judge or clerk that vacates such an office. NOTE: Judges include the presiding judge, associate judges, alternate judges, contracted judges or another other person who serves in a judicial capacity for the city. Report Form: PDF | Word Report of Change in Mayor, Municipal Judge, or Municipal Court Clerk OFFICE OF COURT ADMINISTRATION 205 WEST 14" STREET, STITE 600 - (512) 463-1625 - FAX (512) 936-2423 P.O. BOX 12066 - AUSTIN, TEXAS 78711-2066 ABJUSTIVENEZCOSTING Appointment or Election **New Reporting Forms & Instructions Effective Date** September 1, 2011 Posted at: http://www.courts.state.tx.us/oca/required.asp

# Resources Required Reporting web page http://www.courts.state.tx.us/oca/required.asp Forms Instructions Frequently Asked Questions XML Specifications and XML Tester Red lined versions of forms to show changes Spreadsheet with DPS codes classified by OCA case category

http://ww	w.courts.	<u>state.tx.us</u>	/oca/req	uired	l.asp

Changes to Justice and Municipal Court Monthly Case Activity Reports Effective September 1, 2011 ....top...

New Reporting Rules  $[\underline{pdf}]$ 

Frequently Asked Questions - Online Report Submission - Added 12/07/11!

Frequently Asked Questions - XML File Submission - Added 11/07/11!

Validate XML file format - Added 4/11/11

List of Changes Made to XML Specifications [pdf] - Updated 03/21/11!

Justice Courts: Form [gdf] | [sls] | [Instructions] | [Case category charts] | [Frequently Asked Questions] | XML Specifications [gdf] - Instructions & FAQ's Updated 01/17/2012!

Municipal Courts: Form [pdf] | [x\u00eds] | [Instructions] | [Case category charts] | [Frequently Asked Questions] | XML Specifications [pdf] - Instructions & FAQ's | Industry of 1/17/2012/

Red lined versions of forms reflecting changes: Justice Courts [pdf] | Municipal Courts [pdf]

DPS Violation Codes Categorized by OCA Case Category:  $[\underline{\textit{xis}}]$  – Updated~9/14/2011

#### **Changes to Reports**

- □ What has not changed:
  - A report is required to be submitted each month even if the court has no activity to report.
  - Disposed = adjudicated

For purposes of this report, a disposition is reported when the case is adjudicated (the judge signs the final judgment or a sentence is otherwise imposed). The date of disposition is the date the final judgment was signed.

# Changes to Reports Payment plans: a person v

■ Payment plans: a person who is placed on a payment plan to discharge their fines, fees and courts costs has been found guilty. The case is reported in the dispositions section when the adjudication of guilt was made (the final judgment was entered), not when the person finally satisfies all the fines, fees and court costs.

#### **Changes to Reports**

- □ Revenue reported
  - includes fines, fees, court costs; Omnibase fees; forfeited bonds; fees for copies, etc.
  - <u>DOES NOT</u> include amounts retained by a private collections agency for service fees; amounts assessed; jail credit; community service credit; or amounts collected that are not related to court operations.

#### **Changes to Reports**

□ What has changed:

New reporting website

http://card.txcourts.gov

All reports for September 2011 and later must be entered in the new system.

# **Changes to Reports** □ Category changes and clarifications: ■ Fined is now called Uncontested Dispositions (cases in which a guilty or nolo contendere plea was entered due to payment of a fine or other amount accepted by the court without a plea being entered in open court.) **Changes to Reports** ■ Trial by Judge, Finding of Guilty split into 2 categories to separate pleas from actual trials before the judge: □ Convictions—Guilty Plea or No Contendere □ Convictions—By the Court ■ Compliance Dismissals expanded and All Other Dispositions added at request of courts because there was previously no place to report certain dispositions **Changes to Reports** ■ Cases Appealed now reported after trial or without trial ■ Transfers to Juvenile Court are now separated between mandatory or discretionary

■ More information collected on magistrate activity

#### **Changes to Reports**

- What defines what is reported as a show cause?
  - □ Report the number of show cause or contempt hearings held pursuant to Art. 45.050 (juveniles), 45.051(c-1) (deferred disposition), or 45.0511(i) (driver's safety), Code of Criminal Procedure, for failure to comply with the requirements for deferred disposition or driver's safety dismissal.

#### **Changes to Reports**

■ Do I count a show cause if the defendant did not appear? If the case was set but the defendant failed to appear and the judge imposed the fine, it should be counted on the Show Case line.

#### **Changes to Reports**

- When do we report cases which community service was completed or jail credit was applied to partially or fully satisfy the fines and/or court costs?
  - □ Report these cases in the month the fines and court costs have been satisfied in full. If never satisfied in full, the community service or jail credit would never be reported.

# **Changes to Reports – Pending, Active, Inactive and Reactivated Cases**

- □ What is the definition of a pending case?
  - A case pending on the first of the month is a case that had been filed in a previous month but in which a FINAL JUDGMENT HAD NOT YET BEEN ENTERED. Total cases pending on the first of the month is a sum of active and inactive cases that were pending as of the first of the month.

#### **Pending Cases**

■ A case pending at the end of the month is a case in which a FINAL JUDGMENT HAD NOT YET BEEN ENTERED by the end of the month. Total cases pending at the end of the month is a sum of active and inactive cases that were pending as of the end of the month.

#### **Active Cases**

- $\Box$  What is the definition of an active case?
  - For the purposes of this report, an active case is a case in which NO JUDGMENT HAS YET BEEN ENTERED and that THE COURT CAN MOVE TO ADJUDICATION (entry of a final judgment).

## **Inactive Cases** □ What is the definition of an inactive case? ■ For the purposes of this report, an inactive case is a case in which NO JUDGMENT HAS YET BEEN ENTERED BUT THE DEFENDANT IS NOT AVAILABLE FOR ADJUDICATION AND THE COURT CANNOT TAKE FURTHER ACTION. **Inactive Cases** □ Examples of inactive criminal cases: ■ Cases in which a directive to apprehend or warrant of arrest has been issued; ■ Cases reported to the OmniBase (Texas Department of Public Safety) program, to the Scofflaw program (Texas Department of Transportation Vehicle Titles and Registration Division), or to a collections agency for failure to appear; **Inactive Cases □** Examples of inactive criminal cases: ■ Cases in which a defendant is being held elsewhere on state or federal charges; Cases stayed due to a question of mental illness or mental retardation; ■ Cases in which the defendant is otherwise

unavailable for adjudication.

#### **Inactive Cases**

- **□** Examples of inactive civil cases:
  - Cases ordered to arbitration;
  - Cases in which a notice or suggestion of bankruptcy is filed;
  - Cases delayed due to the Soldiers' & Sailors' Civil Relief Act;
  - Cases in which a suggestion of death is filed; and
  - All other cases ordered abated by a judge.

#### Is it Active or Inactive???

- □ When a defendant does not appear we send the case to collections and never see it again. Does sending these cases to collections make the case inactive?
  - If no judgment was entered in the case, yes, you would count the case as inactive.
  - If a judgment <u>is</u> entered in the case, it should be reported in the appropriate disposition category. For purposes of the report a case is counted as disposed when a final judgment is entered.

#### Is it Active or Inactive???

- ☐ When a person is placed on a driver's safety, deferred adjudication or other program, does that make the case inactive?
  - No. The case should remain active. The case is reported disposed of when the case is either dismissed for compliance or a conviction is entered for non-compliance.

#### Is it Active or Inactive???

- □ Does a cash bond make a case inactive?
  - No since the case is set/can be set for court.
- ☐ If a defendant is fined and receives an extension to pay, does this make a case inactive?
  - No. The case is reported as disposed when the judgment is signed (the conviction is entered, and the defendant is fined). This case has been adjudicated and convicted; this will not change whether the person pays in full or is on a payment plan.

#### Is it Active or Inactive???

- ☐ Are capiases pro fine reported as inactive cases?
  - No. A capias pro fine is issued <u>after</u> a judgment (a conviction) has been entered because a person has not satisfied the fine or other obligations. Thus, the capias pro fine will never affect whether a case is counted as pending, whether active or inactive. Capiases pro fine are reported <u>only</u> in the Additional Court Activity Section on Line 3.

#### **Reactivated Cases**

- □ What is the definition of a reactivated case?
  - For the purposes of this report, a case is counted as reactivated when it had previously been placed in an inactive pending status but some event occurred that allows the court to resume activity and move the case to a final judgment.

#### **Reactivated Cases**

■ Reactivated cases are reported even if a judgment was also entered in the case during the month. In fact, INACTIVE CASES MUST BE COUNTED AS REACTIVATED BEFORE THEY CAN BE COUNTED AS DISPOSED OF. If you do not do this, the result could possibly leave you with negative cases pending at the end of the month which will cause the report to be "out of balance".

#### **Reactivated Cases**

- ☐ What date/event should be used to determine when a criminal or juvenile case becomes reactivated—the date of arrest or the date of the defendant's first hearing?
  - The date of the defendant's first hearing is our preference. If you do not have access to accurate information about the date of the first hearing, use the date of arrest (date the warrant was executed).

#### **Submitting the Report to OCA**



## **Monthly Court Activity Report** The report must be submitted online. To obtain a Login ID and password or for password resets contact OCA's Service Desk: (512) 463-1642 Or service.desk@txcourts.gov Requesting a Waiver from reporting on-line A waiver for good cause from reporting online may be requested. Keep in mind: ☐ The reporting rules in the Administrative Code only allow for a waiver of ONLINE reporting. ☐ The waiver provision applies only to courts who wish to continue mailing or faxing their reports to our office on the new reporting form. Requesting a Waiver from reporting on-line ☐ Everyone is still required to submit a report. □ Will be for one reporting year through August 31, 2012 (the end of FY 2012)

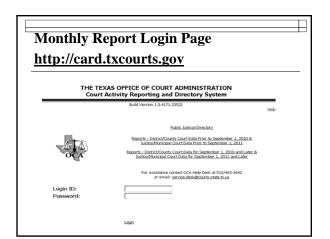
☐ Must be submitted in writing by fax, email or

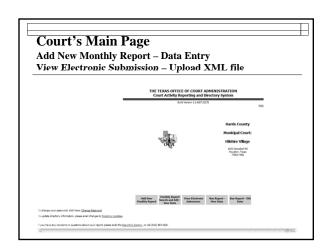
mail

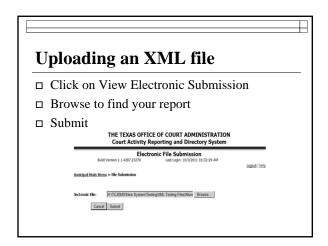
#### Where to Report

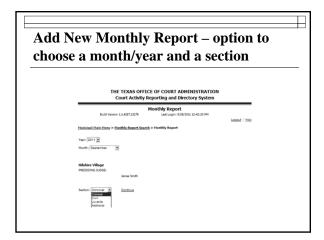
□ For report activity beginning September 2011 (form revised effective 9/1/2011) the new database is called Court Activity Reporting and Directory System

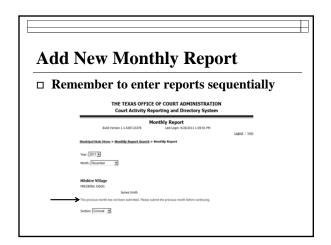
http://card.txcourts.gov

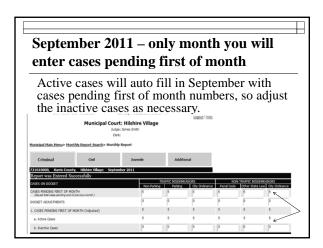


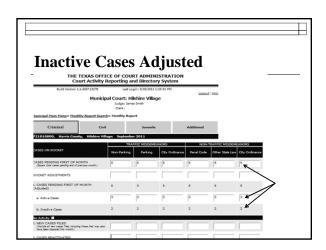


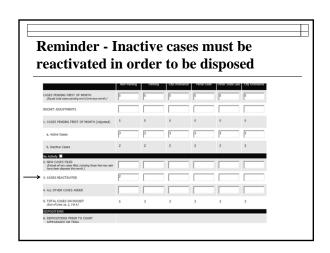












#### **Docket Adjustments**

- □ Cases pending end of month and cases pending beginning of following month should be the same
- □ If not equal, docket adjustment must be entered to account for the **difference**
- □ You won't find the docket adjustment line on the form it's only in the online reporting system

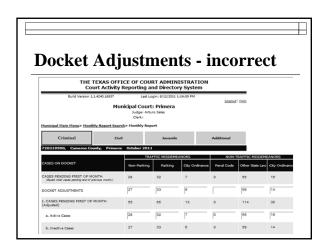
#### **Docket Adjustments**

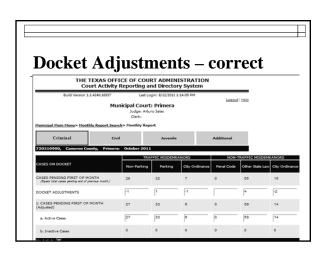
- ☐ To **increase** number of cases pending in a certain case category, enter the number of cases you need to increase the category by
  - Do not enter plus sign (+)
- □ To **decrease** number of cases pending, enter the number of cases you need to decrease the category by
  - You must enter a minus sign (-)

#### **Docket Adjustments**

### Do not

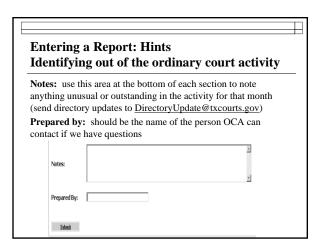
enter the numbers that you want the pending cases to be

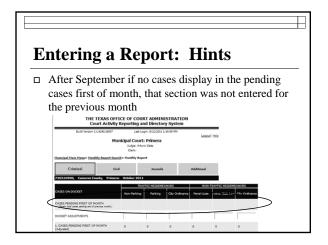




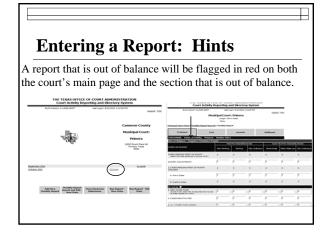


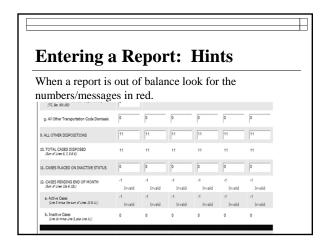
# Entering a Report: Hints After you enter a report, make sure you receive the saved successfully message Criminal Report was saved successfully.





# Entering a Report: Hints - Maintain Balance The Criminal and Civil Sections of the report have calculations that must be correct or other rules that must be followed. \*\*AUSTRIAN SECTION | \*\*AUSTRIAN SECTION SECTI





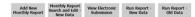
Reminders	
□ Negative numbers are allowed in only 1 place on the report: docket adjustment line	
☐ Watch out for and correct negative pending cases.	
Reminders	
☐ A report must be submitted for EACH month, even if court had no activity	
☐ Accuracy of report should be verified - don't assume your software gets it right!	
don't assume your sortware gets it right.	
☐ Keep copies of any reports run from your system for a minimum of 2 years	
Generating Reports	

#### **Generating Activity Reports**

- ☐ May access court activity data for any date range between September 1992 to present
- ☐ Most up-to-date data available



#### **Generating Activity Reports**



To run reports for the period 9/1/1992 thru 8/31/2011, click on Run Report – Old Data

To run reports for the period 9/1/2011 and later, click on Run Report – New Data

#### **Generating Activity Reports**

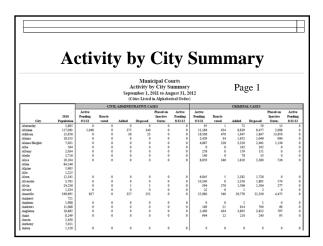
#### There are 5 reports available:

 Monthly Activity Detail Report: is a summary report of all activity reported. It may be run the report for an individual city or for statewide totals.

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#### **Generating Activity Reports**

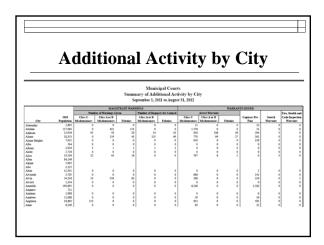
 Activity by City: shows the filing, disposition, active, inactive and reactivated information for each city for the time period selected. It may be run report by population or alphabetically by city.



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#### **Generating Activity Reports**

3. Additional Activity by City: is a summary report of the additional activity reported by city. Each line item of this section of the form is displayed for each city over 3 pages. Is run alphabetically by city.



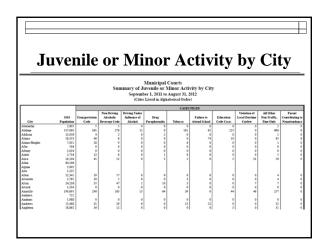
#### **Generating Activity Reports**

4. Municipal Court Cases Appealed by City: is a summary report of criminal and civil appeals reported. Is run alphabetically by city.

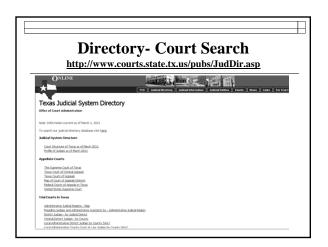
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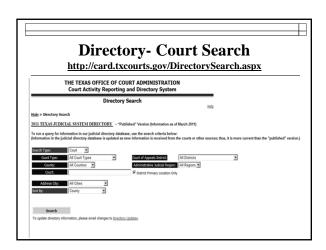
#### **Generating Activity Reports**

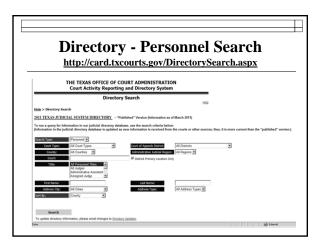
5. Juvenile/Minor Activity by City: Each line item of this section of the form is displayed for each city over 2 pages. It may be run report by population or alphabetically by city.



Navigating the Texas Judicial System Directory







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