

ANALYZING BRYAN MUNICIPAL COURT JUVENILE CASES

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Analyzing Bryan Municipal Court Juvenile Cases

Hilda Castillo Cuthbertson

Abstract

Juvenile cases are an important part of the municipal court system because for many juvenile defendants the only exposure to the judicial system will be at the municipal court level shaping their perception of the entire judicial system. The legislature in the 1990s granted juvenile jurisdiction to Texas Municipal Courts without any investigation into whether Municipal Courts were equipped to handle the case volume. Juvenile cases are Class C “fine only” offenses committed by children ages 10 through 16 years of age. Texas Municipal Courts process offenses from the Penal, Transportation, Education, Health & Safety, City Ordinance, and Alcohol Beverage Codes. Literature review corroborates what municipal court administrators have known all along: Texas Municipal Courts and justice courts increasingly find themselves overburdened with juvenile criminal cases. Bryan Municipal Court has processed several thousand incoming cases dating back to January 2007. These cases have dispositions but all are not necessarily closed, as some requirements may not have been met placing them into inactive status. These cases eventually become stale, (i.e. cases which remain open without a disposition).

The purpose of this research is to examine the juvenile cases filed in this court to improve current practices and processes. This project seeks answers to the following questions:

- What are the characteristics (such as milestones, timeliness and compliance with existing time standards) of the municipal court juvenile cases?
- What is the time standard, if any, for timely disposition of these cases?
- What percentage of juvenile cases is exceeding time standards?
- What processing elements of juvenile case processing need improvement for timely case disposition?

The Texas Office of Court Administration monthly report requires a count of all of the active, inactive, and reactivated cases. Reporting cases that have languished for a number of years brings to light the large number of cases that are not adjudicated and/or for which the judgments have not been enforced.

It is important to bring these juvenile cases to disposition for two reasons: (a) cases which have languished for several years need to be removed as it is not cost effective to continue carrying these cases in the current case inventory, and (b) these cases do not need to be counted and reported on the monthly OCA report as it skews the overall inventory number of inactive cases.

Based on the questionnaire results the judges, court staff, and local attorneys are in general consensus that those juvenile cases:

- need to be processed within 18 months from the date of filing, and
- require more education for the judges, court staff and local attorneys regarding (a) juvenile case processing standards, (b) the OCA monthly report, and (c) court's case volume.

Based on the juvenile data analysis using the National Center for State Courts, CourTools Measure 2: Clearance Rates, and Measure 3: Time to Disposition, Bryan Municipal Court is capable of obtaining an “Entry of Judgment” on the majority of cases within 120 days of filing. The court needs to investigate the means or procedures other Municipal Courts have in place to handle and dispose a stale case inventory. The court needs to explore means to increase the clearance rate on juvenile cases as it has decreased within the five-year period studied.

Introduction

Juvenile cases are an important part of the municipal court system. For many juvenile defendants it is their only exposure to the judicial system and will shape their perception of the entire judicial system. Yet, managing the volume of juvenile cases can be overwhelming due to the nature and complexity of the various laws that must be applied to ensure that children's' cases are handled timely, provide access to justice, and ensure fairness. Bryan Municipal Court has handled several hundred cases every year since jurisdiction of juvenile cases was granted to Texas Municipal Courts in the 1990s. Juvenile cases are Class C "fine only" offenses committed by children ages 10 through 16 years of age.

The purpose of this research is to examine the juvenile cases filed in this court to improve current practices and processes. This project seeks answers to the following questions:

- What are the characteristics of the municipal court juvenile cases (such as milestones, timeliness and compliance with existing time standards)?
- What is the time standard, if any, for timely disposition of these cases?
- What percentage of juvenile cases is exceeding time standards?
- What processing elements of juvenile case processing need improvement for timely case disposition?

Research results provide guidance for improving juvenile case processing in Bryan Municipal Court. A brief overview of the Texas court system is necessary to understand the jurisdiction of the Bryan Municipal Court and the potential statewide magnitude of the issues discussed here.

The Texas court system is not a unified system; rather, it is a tiered court system with Municipal Courts serving as the lower courts (Appendix A). Municipal Courts are local trial courts of limited jurisdiction. Texas Municipal Courts process Class C “fine only” offenses from the Penal, Transportation, Education, Health & Safety, City Ordinance, and Alcohol Beverage Codes. Juvenile cases are also filed within Texas Municipal Courts for Class C “fine only” offenses. Juvenile defendants, typically, are 10 through 16 years of age. Surprisingly, there is no one clear definition for a juvenile in Texas statutes. Texas law requires all juvenile defendants to appear in open court with a parent or guardian before the court support staff can process a case.

The legislature in the 1990s granted juvenile jurisdiction to Texas Municipal Courts without any investigation into whether Municipal Courts were equipped to handle the case volume. The Municipal Courts were granted authority to handle these offenses as a means of alleviating the county juvenile court caseload. Texas Juvenile Courts deal with civil cases, while Municipal Courts deal with criminal cases. Class C offenses are “fine only” offenses which can be discharged by the defendants paying the assessed fines. They can also be discharged by completing community service in lieu of paying the fines, or by deferred disposition, or by taking a driving safety course. Some Class C offenses require an additional remedy such as attending a statutorily required class for alcohol or tobacco offenses. A *Texas Journal on Civil Liberties & Civil Rights* article on school-based ticketing corroborates what municipal court administrators have known all along: Texas Municipal Courts and justice courts increasingly find themselves overburdened with juvenile criminal cases that probably should have been handled in schools (Edmiston, 2012).

Just like many school districts across the United States, the Bryan Independent School District adopted a zero-tolerance policy after the 1999 Columbine, Colorado school shooting incident (Aronson, 2000). In Texas schools, *zero tolerance* refers to the different disciplinary offenses not tolerated on campus and which will automatically result in suspension or expulsion from school. The intent is to deter violent acts on school campuses. School districts across Texas have forged partnerships with city police departments or have created their own police departments to deter violent acts in schools.

In Bryan, a partnership exists between the school district and the police department for School Resource Officers (SRO) to work on school campuses. This provides a police presence on campuses, which deters crimes and provides students with someone to go to for assistance if they have a problem. The SRO is usually the one who decides whether a citation for an offense is to be issued to the student. Citations can be issued to juveniles by police officers on and off the school campus for any Class C offenses.

Texas law requires juvenile defendants to appear in open court with their parents or legal guardians. Bryan Municipal Court issues parental summonses when the parents fail to bring the juveniles to court on a specific time and date. Based on comments from judges and court staff often, this is not successful due to parents not wanting to miss work or not receiving the parental summonses due to changes of address. The paper explores the possible reasons and determines why juveniles do not appear for their cases. It also explores whether cases begin to languish at this point and what remedies the court can employ to combat this.

Bryan Municipal Court has processed several thousand incoming juvenile cases dating back to January 2007. These cases concern offenses committed by children between the ages of 10 through 16. Many of these cases have dispositions, but not all are closed. Some requirements may not have been met, placing them into inactive status. These cases eventually become stale. Inactive status is defined as cases where further court proceedings or activities cannot continue, according to the Texas Office of Court Administration monthly reporting instructions (OCA, 2011). These are cases where the juveniles may or may not have appeared in court. The juveniles and parents or legal guardians who appeared as required were informed that the court would catch up with them upon the defendants turning 18 years of age. These defendants left the court without being assessed fines or any other consequences. In some of the cases, the parents and juveniles have not made their required appearances in open court, thus these cases do not have pleas. Therefore, there are no findings on the cases. These cases will have warrants issued when the defendants become 18 years of age. Some of the juveniles are repeat offenders with one or more cases. Since their cases were not adjudicated, they have faced no consequences, resulting in no accountability by the defendant and/or no enforceability by the court.

There are two schools of thought among municipal judges in the state of Texas regarding juveniles and responsibility. The first school of thought is that juveniles are children, therefore they cannot be held responsible for the payment of fines when they are assessed because children are indigent. In this instance, the judge may allow the juveniles to perform community service work in lieu of their parents paying the fine assessed. The second is that parents are responsible for their children's conduct and

the parents should be held responsible. A judge may ask the parent to determine how the fine assessed will be paid. Often times, these two schools of thought prevail within the same court due to judge-driven philosophies. Thus there is a lack of courtwide consensus as to how to handle the cases. Having no consistent policy on how to handle juvenile defendants causes cases to languish.

Currently, Bryan Municipal Court does not have a methodology by which to measure efficiency or to conduct a clear performance assessment. The court has a relatively new mandate from the OCA to report multiple aspects of case filings such as, (a) the number of cases filed, (b) number of cases disposed, (c) number of cases dismissed, and (d) the number of dispositions at trial. The OCA report now requires a count of all of the active, inactive, and reactivated cases. These terms regarding case processing are relatively new to Texas Municipal Courts. Cases that have languished for long periods are to be counted as inactive cases, whereas prior to this mandate, these cases were not counted or reported by the court on the OCA monthly report. Reporting cases that have languished for a number of years brings to light the large number of cases that are not adjudicated and/or for which the judgments have not been enforced. Some of these cases lack proof of completed community service work or proof the defendant has fulfilled the court's requirement of completing a statutorily required course, (i.e., an alcohol awareness or tobacco awareness class).

It is very important to dispose of these cases for two reasons:

- cases which have languished for several years need to be removed as it is not cost effective to continue carrying these cases in the current case inventory being maintained, and,

- these cases do not need to be counted and reported on the monthly OCA report as it skews the overall inventory number of inactive cases. The better alternative for the court and the public is to hold the juvenile defendants accountable for their actions and to enforce the judgments.

Bryan Municipal Court has several hundred juvenile cases in its current case inventory which were filed during the time period of January 2007 through December 2011. The court has attempted several times to bring the juvenile defendants with parents into court by sending parental summonses.

Juvenile defendants have the same rights as adults and are able to exercise these rights through an attorney or by appearing pro se. The first statutory requirement is for the juvenile defendants and parents to appear in open court in order to begin processing. The municipal court staff cannot set the case on any type of docket until the juvenile defendant and parents make their initial appearance. Municipal court can offer the juvenile defendants several alternatives to keep convictions off their records. Cases that are not moving toward a final disposition begin to languish, thus becoming stale.

Texas law does not provide guidance regarding “stale” cases. Garcia (2012) provided a definition of “stale cases” in her research regarding courts maintaining an inventory of cases that have languished. “ ‘Stale cases’ for the purpose of this paper are defined as, traffic violations, minor penal code violations, other minor state law violations and city ordinances violations, where the defendant failed to appear and repeated attempts to contact the defendant have not resulted in compliance on a case which has been inactive for more than a year” (Garcia, 2012 p. 3). Every offense category has different statutory requirements to be met by the defendants to give the

cases complete closure, which includes collecting all of the fines and fees assessed. By the time juvenile defendants reach the age of 18, they and their parents or legal guardians have long forgotten about the Class C offenses pending in Bryan Municipal Court.

For each case, and each step of case processing, the court finds itself making numerous attempts to get the juvenile defendant and his or her parents into court. Typically, the court will send parental summonses prescribed by Article 45.0215 of the Texas Code of Criminal Procedure to compel the defendant's parent, guardian or managing conservator appearance in court. The next attempt consists of physically locating the parents and serving them parental summonses to bring the juvenile defendant to court. This process is costly to the court. It takes time to research a physical address and then execute the service of the summonses using a city marshal.

By focusing, as described above, on the characteristics of the juvenile caseload, it will be possible to determine the magnitude of the problem in the Bryan Municipal Court and the possibilities for a solution. It will be possible to see whether any timeline standard emerges (such as cases being closed within a certain time period) or can be established using current case processing practices. It will also be possible to determine what percentage of the juvenile cases exceed the time standard and ultimately identify which processing elements need improvement for timely case disposition to routinely occur.

These research outcomes were pursued through the implementation of two measures from the CourTools performance assessment system, in particular Measure 2: Clearance Rates, and Measure 3: Time to Disposition. The information derived from

these tools will be useful in eventually achieving the predictable, stable, and timely processing of juvenile cases in the Bryan Municipal Court. Three goals must be achieved by that effort:

- determine the current performance level,
- improve the court's efficiency, and
- file an accurate OCA monthly report.

This can be accomplished by implementing CourTools for the entire juvenile caseload inventory. Doing so allows for greater efficiency and greater accountability in the disposition of every juvenile case filed in this court.

The remainder of this paper contains a literature review of past studies about case processing, the research methodologies employed here and the findings from those methods, including questionnaire responses and the juvenile case data collected. All of that resulted in a set of conclusions and recommendations that will be useful to this court, and perhaps others, in handling a growing juvenile caseload.

Literature Review

This section identifies past research and current approaches to juvenile caseload management, as well as other information related to juvenile cases such as:

- defining the court's jurisdiction,
- identifying who is a "juvenile defendant",
- defining the prosecution process for juvenile defendants, and,
- ensuring case compliance while balancing justice and due process.

This section also contains information about CourTools and its application to the cases analyzed during the most recent five-year period.

Juvenile Jurisdiction

Defining or classifying a juvenile is sometimes a difficult task. "Prior to 1987, no court, juvenile or criminal, had jurisdiction over the first or second fineable-only misdemeanor or ordinance violation" (Dawson, 2008 p.16).

"In 1987, the Texas legislature changed the method by which fineable offenses were handled under the Family and Penal Codes. The legislature gave the Municipal Courts criminal jurisdiction over the fineable-only offenses, including violations of city ordinances committed by juveniles, but it authorized the Municipal Courts to transfer to juvenile court a case of a juvenile charged with a fineable misdemeanor who had two prior fineable misdemeanor convictions" (Dawson, 2008 p. 16).

In 1991, the legislature changed the law once again and amended Section 51.03(b) (1) of the Texas Family Code to provide the Municipal Courts with jurisdiction of the juvenile offenses, with the exception of Public Intoxication. Public Intoxication is

considered an offense where a child is in need of supervision and it is processed by the juvenile courts in Texas. The law changed again in 2009 to give Municipal Courts jurisdiction over the Public Intoxication offenses. Obviously, this added significantly to the case volume in these courts.

Who is a Juvenile?

The term “juvenile” is not defined in any of the statutes. “The term ‘juvenile’ is a term of art in Texas law. Texas law uses a number of different terms to define offenses committed by young people or to outline special procedures and sanctions applicable to them” (Fagen, 2012 p. 2).

Article 45.058 (h) of the Texas Code of Criminal Procedure states that “a ‘child’ means a person who is: (a) is at least 10 years of age and younger than 17 years of age, and (b) charged with or convicted of an offense that a justice or municipal court has jurisdiction of under Article 4.11 or Article 4.14” (Texas Code of Criminal Procedure Ch. 45).

Prosecuting Juvenile Cases

Due to the modifications in procedures and restrictions on dispositions in these cases, the system for handling these cases resembles a “shadow” juvenile justice system operating within the justice and Municipal Courts (Dawson, 2008). Cases are initiated by the issuance of a citation to a child by a peace officer, which must contain the name and address of the accused, the offense charged, and written notice of the time and place to appear in court as provided under Article 14.06 (b) of the Texas Code of Criminal Procedure.

A case filed against a juvenile requires the parents and the accused child to appear in open court. This also requires one or both parents or guardians to be present during all court proceedings, according to Article 45.0215 of the Texas Code of Criminal Procedure. If the child and parent do not voluntarily appear to answer the charge, the court shall mail a parental summons demanding that the parent bring the child to court.

A municipal court may not order the confinement of a child for failure to pay all or any part of a fine or costs imposed for the conviction of an offense punishable by fine only; however, the court may hold the juvenile and/or his or her parent in contempt (Texas Code of Criminal Procedure Article 45.050). The municipal court contempt offense may be referred to the Brazos County Juvenile Court, where the process becomes a civil matter.

Case Compliance

Gordon M. Griller (2009), in an article titled, *The Importance of Courts Earning Defendants' Compliance*, states that, "Compliance has a broader meaning than collections. It is multidimensional. The objective of compliance is to facilitate cooperation or obedience. The court's ultimate goal is to encourage more voluntary conformity" (p.4). Griller further states that compliance with the law has two dimensions: a) to do justice in individual cases, and b) to appear to do justice.

Many of the litigants and their parents or guardians are not aware of the municipal court processes and/or their rights; thus, processes must be simple in order for these litigants and their parents or guardians to understand, as generally they are self-represented. The final project report for the Seattle, Washington Municipal Court (Griller, Douglas, and Matthias, 2010) states that "limited jurisdiction court adjudication

processes can generally be described as ‘decisional’ in nature” (p.10). The authors define “decisional” adjudication by stating that it typifies those trial courts which hear large numbers of minor cases. Most are typically limited jurisdiction courts which handle traffic citations, small claims, ordinance violations, and petty misdemeanors. Courts with large case volume of criminal cases are charged with delivering justice to large number of people in relatively routine matters. The court’s primary objective is to apply the law expeditiously and move on to the next docket. A common sense approach to case disposition reigns. Decisions need to be made without delay since the court has many cases in the queue awaiting action. Due to the volume of cases in the Bryan Municipal Court, it is necessary to formulate straightforward processes and procedures which will allow judges and court staff to make decisions without delay.

Most of the literature regarding juvenile defendants focuses on case processing in general jurisdiction courts, including the county courts. The county courts include the juvenile courts, particularly in Texas. For the purpose of this research, key concepts will have to be adapted to fit the municipal court juvenile cases. The primary jurisdictional difference between the municipal court and the juvenile court in Texas is that Municipal Courts handle juvenile criminal matters, while juvenile cases in the county courts are civil.

Garcia’s (2012) research explored the question of whether courts across the United States carried stale cases. As noted previously, stale cases in Bryan Municipal Court are cases that are not moving forward to a disposition or may have a disposition, however the judgment has not been enforced. The findings of Garcia’s research indicates that the problem of stale cases affect many courts across the United States.

All have a need to manage the stale case inventory with due diligence to not undermine the justice system. Garcia's research revealed that many Texas Municipal Courts maintain a large stale case inventory. It also found that none of the courts in other states with the problem of stale cases had a formal procedure or written policy formalizing the process of going through mass dismissals to reduce the case inventory. Courts carrying stale cases give the implication that courts do not hold the defendants accountable for their actions and are likely to be targets of criticism from the public or media.

The Texas State Library local government retention schedules do not address juvenile cases that do not have a disposition. The current state retention schedule addresses the processing documents of juvenile defendants who have been detained and their processing through the juvenile court system rather than addressing the municipal court case documents. Juvenile court records are subject to being sealed under the Family Code, Section 58.003 (Schedule LC Part 5: Juvenile Records). The current Local Schedule (LC) retention schedule for records of justice and municipal courts, which became effective August 2011, states in Part 1 that the retention period for criminal case papers including traffic offenses and violations of municipal ordinances is the "date of final disposition of the case + 5 years". The state's retention schedule for local governments provides no guidance for reducing the number of stale cases being maintained by this court. Poor or no enforcement of judgments reflects negatively on this court and justice in general. Certainty of consequences is a strong deterrent for defendants and the general public.

Balancing Justice and Due Process

The Sixth Amendment to the U.S. Constitution guarantees the fundamental right to “speedy and public trial,” yet balancing the pace of the legal process with quality case processing remains a formidable challenge (Ostrom & Hanson, 2000). This is a constant struggle within the courts to ensure that the defendants’ rights are guaranteed and, at the same time, justice is done.

How does a municipal court balance the need to process cases on a timely basis, yet ensure that justice is served? The literature suggests that courts must develop a judicial partnership with the appropriate staff members to give priority to moving cases to disposition. David C. Steelman, (2000) et al., in the book, *Case Flow Management: The Heart of Court Management in the New Millennium*, suggests courts should incorporate the following procedures:

- increase commitment to achieve timely case processing,
- take early control of case progress,
- provide appropriate information on the age and status of cases, and
- designate specific court staff members who have the primary responsibility of monitoring caseflow (p. 67).

In part, this project answers the “How well are we doing?” question for these attributes.

CourTools

Increasing demands for accountability and transparency have encouraged courts to measure performance. In this regard it is critical that the courts maintain fair and impartial case processing. There many reasons to measure performance, five have been articulated: (1) determining if the perceptions of the court personnel are accurate,

(2) allowing courts to identify and focus on areas of importance to their constituents, (3) fostering creativity among court personnel, (4) assisting in preparing, justifying, and presenting budgetary requests, and (5) reinforcing the court's desire to have effective judicial governance and accountability (National Center for State Courts, 2005, p. 1). The third branch must ensure it is a fair, impartial, coequal, and an independent entity. "The judiciary is threatened with the loss of independence without the use of performance measurement" (David Slayton, 2008, p.1).

The CourTools performance assessment system was introduced in 2005 by the National Center for State Courts. CourTools is a set of evaluation instruments that courts can use to measure performance. A court may elect to implement all of the tools or it may elect to implement a select few.

CourTools attempts to make it easy for courts to apply the performance measures with minimum effort. The CourTools measures can generate a balanced scorecard that provides the court with a comprehensive view of its performance in the management of juvenile cases. (David Slayton, 2008).

It is intended through the research in this paper to move toward an evidence-based court by adopting and applying CourTools Measure 2: Clearance Rates (Appendix B) and Measure 3: Time to Disposition (Appendix C) to juvenile cases first. Further application to other calendars in the Bryan Municipal Court will become possible as staff becomes familiar with these performance measures.

Methods

This section discusses the methodologies used to develop information about stakeholder perceptions and to gather data regarding Bryan Municipal Court juvenile caseflow. Questionnaires were used to gauge perspectives of key personnel who deal with the processing of juvenile cases. Juvenile archival data were extracted and analyzed for the application and implementation of CourTools Measure 2: Clearance Rates and Measure 3: Time to Disposition to measure the court's current performance.

Project Design: The focus of this research paper is an analysis of Bryan Municipal Court's stale juvenile cases. Two primary methods were employed in the development of this research paper: qualitative and quantitative. The qualitative method relied on the use of three similar questionnaires given to key court personnel, including judges, court staff and local attorneys. The aim of these surveys was to capture the perceptions and opinions of these groups regarding juvenile case processing at the Municipal Court. The quantitative portion of the study involved the analysis of juvenile case data for the five-year period from January 2007 through December 2011.

Questionnaires: A questionnaire was designed specifically for each target group: judges, court staff, and local attorneys. There were several purposes for these questionnaires:

- to seek how much knowledge each respondent group had about time standards,
- to gain the respondents' viewpoint regarding juvenile case processing,
- to measure their knowledge of the OCA monthly statistical report, and
- to measure their knowledge of the volume of juvenile cases of handled by this court.

Local attorneys were included to learn their perspective regarding municipal court juvenile case processing. This allowed for a comparison of viewpoints between the targeted respondent groups. Involving the local attorneys also provided an opportunity of inclusiveness and education. It offered an opportunity for local attorneys who represent juveniles to provide input to this research. This was an opportunity for the court to educate the local attorneys about the municipal court and its juvenile caseload.

No specialized survey software was utilized for the deployment of the questionnaires as the three respondent groups were small in size and the response numbers were not large. Therefore, the survey was distributed on paper.

Each step taken during this research will be discussed in this section: (a) the pre-testing of the questionnaire instruments, (b) the administration of the questionnaire instruments, and (c) the juvenile archival data explored and analyzed.

Questionnaires Pre-Testing: Two different groups, court administrators and attorneys, pre-tested the questionnaires. The court staff questionnaire (Appendix D) was pre-tested by five Texas municipal court administrators. All of the court administrators were in attendance at the October 2012 Texas Court Clerks annual conference, which was held in Galveston, Texas. The conference is open to all court support personnel. There were 168 attendees, a majority being court administrators, in attendance from Texas cities all representing their respective municipal courts. The court administrators were selected on the basis of their court knowledge and years of experience working in Texas municipal courts. Three of the five court administrators selected are graduates of the Institute of Court Management Fellows program. The questionnaire was personally handed to each court administrator with instructions to

review the questionnaire with the intent of verifying the ease of reading and understandability of the questionnaire content. Each court administrator who reviewed the questionnaire stated the readability and understandability were good. Two court administrators commented they would be interested in the questionnaire results as well as the entire research project.

The judges' (Appendix E) and attorneys' (Appendix F) questionnaires were pre-tested by a group of Texas licensed attorneys who are municipal judges or municipal prosecutors. Some of the attorneys wear both hats on a given occasion, especially in the Dallas and Houston areas. They may have two or more part time jobs serving as a judge, defense attorney, and/or prosecutor in different small cities. The attorneys are members of the Texas Municipal Courts Association, currently serving on the board of directors, and were present at a quarterly board meeting. Two attorneys, who are judges in their respective cities, pre-tested the judges' questionnaire with the intent of verifying readability and understandability. Each judge was personally handed a questionnaire with instructions and was asked to provide feedback. The attorneys stated the questionnaire was readable and understandable.

Three board members, who are practicing attorneys and familiar with juvenile case processing, pre-tested the local attorneys' questionnaire with the intent of verifying readability and understandability. The attorneys were from different Texas cities and all practice municipal juvenile law in their respective cities. This group stated that the questionnaire was easy to read and understand.

Judges Questionnaire: The questionnaires were used to gather perspectives of all three Bryan Municipal Court judges, including the part-time presiding judge and the

two part-time associate judges. All of the judges are licensed attorneys and one has an outside law practice. The purpose of the questionnaire was to gain their insight about the time standards and juvenile case processing as the judges do not get involved in the day to day minutia of processing cases. There was a 100% response rate by the judges as indicated in Table 1.

Court Staff Questionnaire: The Court has a total of 15 budgeted positions, plus two part-time positions. This does not include the court administrator and the prosecutor. One full-time position was vacant at the time of collecting responses. The court clerks and city marshals completed a similar questionnaire to gather their perspective of the juvenile caseflow process.

The questionnaire was for the purpose of obtaining the court staff's knowledge about time standards and the monthly OCA report, as well as to gauge their perspective regarding the need for and possibility of closing cases within 18 months or less from the date of filing. Fifteen participants responded to the questionnaire resulting in an 89% response rate as shown in Table 1 below.

Local Attorneys Questionnaire: Mr. Keoki Halemano, Court Assistant, contacted the law offices of the local attorneys known to represent adults and juveniles in municipal court. The local attorneys' questionnaire was e-mailed to the 27 local attorneys identified. The District and County prosecutors were included in the e-mail group. Each attorney was sent a copy of the questionnaire as an e-mail attachment with a message explaining the research project. The e-mail was set up as a blind copy to each attorney and the questionnaire was e-mailed to all 27 attorneys at one time. The questionnaire was e-mailed on Monday, November 12, 2012 with a response deadline

of Wednesday, November 21, 2012. On Monday, November 19, 2012 an e-mail reminder notice was sent out to the attorneys who had not responded. Due to the Thanksgiving Holiday and a low response rate, the deadline was extended to Friday, November 30, 2012.

As with the others, the purpose of the local attorney questionnaire was to gain their perspective regarding time standards, the monthly OCA report and to gauge their perception of the concept of closing cases within 18 months or less from the date of filing.

The response rate for local attorneys was 33% as shown in Table 1. The response was greater than anticipated, albeit still low considering these participants volunteered their e-mail addresses when contacted so they could be included in the research. While there are over 300 attorneys in the community, there are 100 attorneys that practice criminal law in the area. These participants practice criminal law either as defense or prosecuting attorneys in the Bryan area. The participants who received the questionnaire were ones who responded to the call for volunteers and are criminal law attorneys (N=27).

Table 1.

Questionnaire response rates

Participants	Number of Participants	Number of responses	Response rates %
Judges	3	3	100
Court Staff	17	15	89
Local Attorneys	27	9	33
Total	47	27	58

Juvenile Archival Data: This portion of the research was quantitative. The research approach applied CourTools Measure 2 Clearance Rates and Measure 3 Time to Disposition to gauge the court's current performance. The source of the data was from the court's software, InfoSol Inc. This system has been in place since 1996. Collecting and extracted valid data from the court's software proved to be more cumbersome than anticipated due to the age of the system. A staff member familiar with using the Cognos report writing software assisted in collecting and compiling data reports for each of the five years being analyzed. The data extracted includes all Class C juvenile cases from the following codes:

- transportation,
- penal,
- education,
- alcohol beverage,
- health and safety, and
- city ordinance.

The data extracted was imported into a Microsoft Excel spreadsheet for statistical analysis. This also provided a means for building graphs for this report. Much thought was put into each data element and how many years were needed to analyze the juvenile cases. The correct data fields in the court's software had to be identified to correspond to the definitions used in CourTools measure 2 and measure 3.

Texas Municipal Courts have been trained that a "disposition" means a plea has been entered by the defendant and the entire fine and court costs assessed have been paid, bringing closure to the case. CourTools defines "disposition" as the "Entry of

Judgment.” An “Entry of Judgment” is the court’s final determination of the rights and obligations of the parties to a case that has been filed (National Center for State Courts, CourTools: Measure 3). This research used the CourTools definition for the “Entry of Judgment” for the data extracted. A period of five years was decided upon to obtain a good trend spectrum. The process of deciphering which data fields were needed from the cases made it clear that definitions of certain terms were being used interchangeably in the court. It was necessary to determine how the terms are customarily used and applied to the court’s case management software. Many discussions took place with the court’s software computer programmer before she was able to extract data reports for this research that were not available through the use of the Cognos reports. Agreement was reached about the elements of the data fields and the customary definitions of those elements. It was agreed that CourTools definitions and certain computer fields were appropriate.

Several report versions were printed and examined to determine that the correct data were collected to answer the questions being researched. Time spent extracting data reports spanned a four-week period of studying, verifying, compiling, and analyzing data. Each report printed was manually reviewed for validity. Any data perceived incorrect were checked on the court’s database first and then physically compared to the actual hard case copies extracted from the archive files.

Once the data was validated the data analysis commenced. CourTools measure 2 was applied to the juvenile incoming and outgoing case data for the years 2007 through 2011. The data was broken down by the number of incoming and outgoing cases per month for each year analyzed. Data analysis commenced using correlating

data elements from the court's computer system which best met the CourTools

Measure 2 definitions, such as:

- "Entry of Judgment" best matched the "verdict date" computer field,
- "New Filing" best matched the "filed" date computer field, and
- "Placed on Inactive Status" correlated best to the "warrant" date computer field.

CourTools Measure 3 definitions were best interpreted as follows:

- "Entry of Judgment" correlated best to the "verdict date" computer field,
- "Active Pending" did not correlate to any data computer fields, instead a report was developed using cases that had no "Entry of Judgment", and
- "Reactivated" also did not have a correlating computer field. For this number count a report was created using the date that a warrant was recalled and the next case event date.

The data gathered had to be set up in an Excel spreadsheet that could be sorted to do the analysis. Data analysis using Measure 2 Clearance Rates was easy to apply as the data needed was readily available and easy to calculate. Application of Measure 3 Time to Disposition was not as easily converted as the data was not available on the court's software in a format that matched the terms used in the CourTools.

Findings

This section reports the research findings of the questionnaires administered to the judges, key juvenile court staff, and the local attorneys. The participants' responses to the questionnaires can be found in Appendix G. The findings of the juvenile data analysis are also discussed in this section. The application of the CourTools Measure 2 Clearance Rates and Measure 3 Time to Disposition provides an assessment of the court's performance regarding incoming vs. outgoing cases.

Finding Number 1: The Bryan Municipal Court judges have more knowledge about case processing standards than the court staff and local attorneys.

The judges' mean response of 4.3 suggests that the judges have "moderate" knowledge of the Texas juvenile cases processing standards in comparison to the two other groups. The court staff's mean rate of 2.5 suggests they have "little" knowledge and local attorneys' mean rate of 3.2 indicates they have "some" knowledge of the case processing standards. The results were not surprising as it was expected the judges would have the most knowledge of the juvenile case processing standards. The results are illustrated in Figure 1.

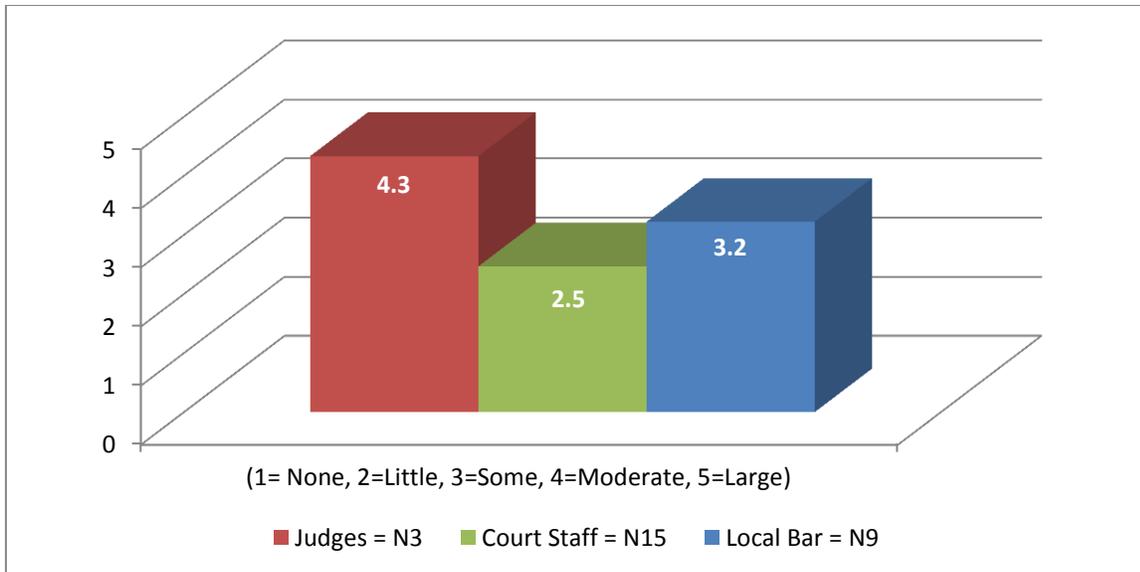


Figure 1. Questionnaire responses regarding familiarity with Texas juvenile case processing.

Finding Number 2: There is a very high level of judicial support for case processing standards.

In Figure 1 the judges’ mean response of 4.3 indicates they have more knowledge about case processing standards. The judges clearly express a high level of support for case processing standards for case processing within the court. The local attorneys’ mean response of 3.2 also indicates a level of support for case processing standards. The staff’s mean response of 2.5 was not surprising as they have not been exposed or educated about juvenile case processing standards.

Finding Number 3: The Bryan Municipal Court judges have more familiarity with the OCA monthly report than the court staff and local attorneys.

The tabulation of the questionnaire responses illustrated in Figure 2 indicates that the judges’ 3.3 mean response indicates “some” familiarity with the accounting of case activity on the OCA monthly report. The response from the court staff and local attorneys shows that they have “none” to “little” knowledge of the OCA accounting of the

case activity. This finding is no revelation since the judges are the only ones to have received training about the new OCA report format. It was expected that the court staff and local attorneys would have limited knowledge of the OCA monthly report.

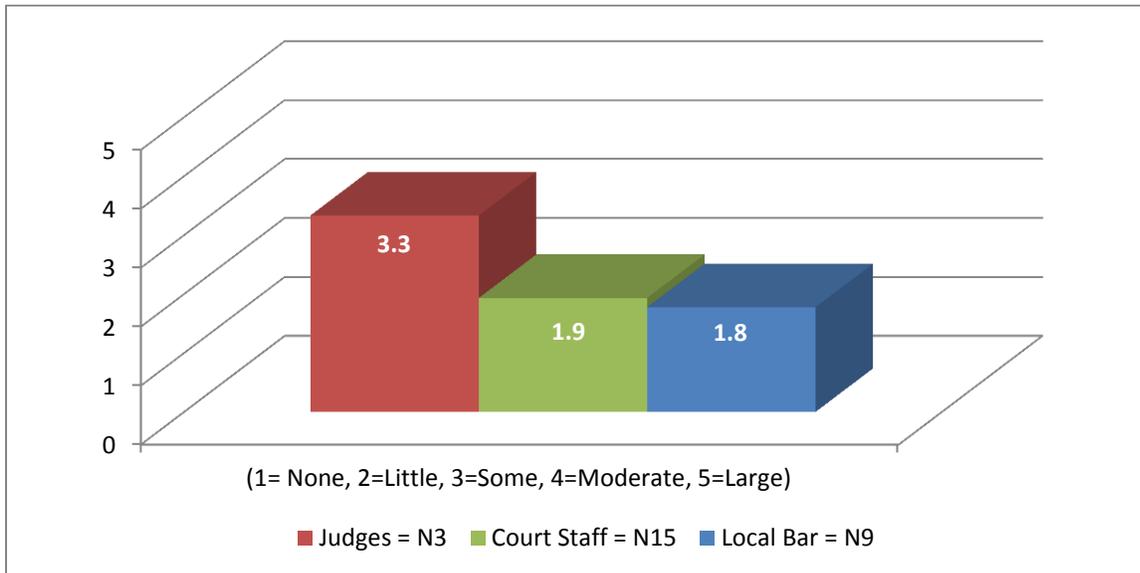


Figure 2. Questionnaire responses – OCA case activity accounting.

Finding Number 4: Closing cases within 18 months or less is important to all of the questionnaire respondents.

Figure 3 shows that all of the target group participants responded that it is “somewhat important” to “very important” for Bryan Municipal Court to handle juvenile cases with 18 months or less. The mean response of 5 for judges suggests it is a high priority item. The Bench is clear in wanting staff to dispose of all juvenile cases within 18 months of filing. A mean response of 4.5 from the court staff is comparable and suggests that it is also very important to them. It was surprising to see the mean response of 4.0 from the local attorneys. It is significant to know that all three targeted respondent groups are in close accord with one another that juvenile cases be handled and closed within 18 months or less.

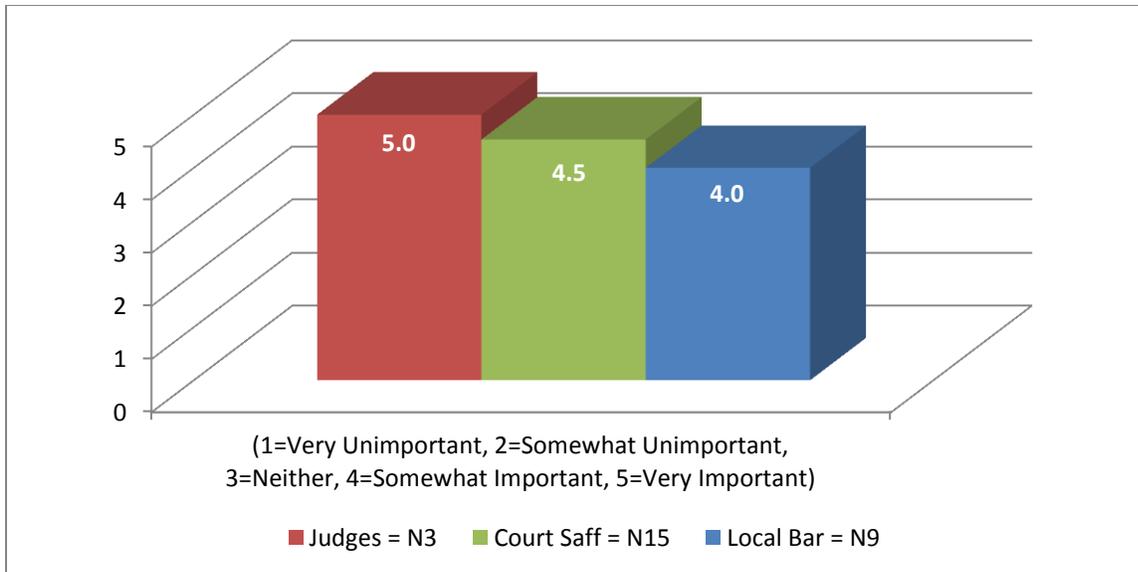


Figure 3. Questionnaire responses – handling juvenile cases within 18 months or less.

Finding Number 5: Bryan Municipal Court has the capability of obtaining an “Entry of Judgment” on juvenile cases.

Measure 2, Clearance Rates, was applied to the juvenile case data gathered from the court’s software database. Figure 4 shows the number of incoming cases versus the number of outgoing cases for the time period of January 2007 through December 2011. These results indicate Bryan Municipal Court has the ability to clear cases on the basis of obtaining an “entry of judgment” on the cases. The court had 1,490 cases filed in 2009 which is a significantly higher number than the previous two years. During the next two years there was a significant drop in the number of cases filed. Table 2 illustrates the number of incoming and outgoing cases per month per year analyzed showing the clearance rates for each year.

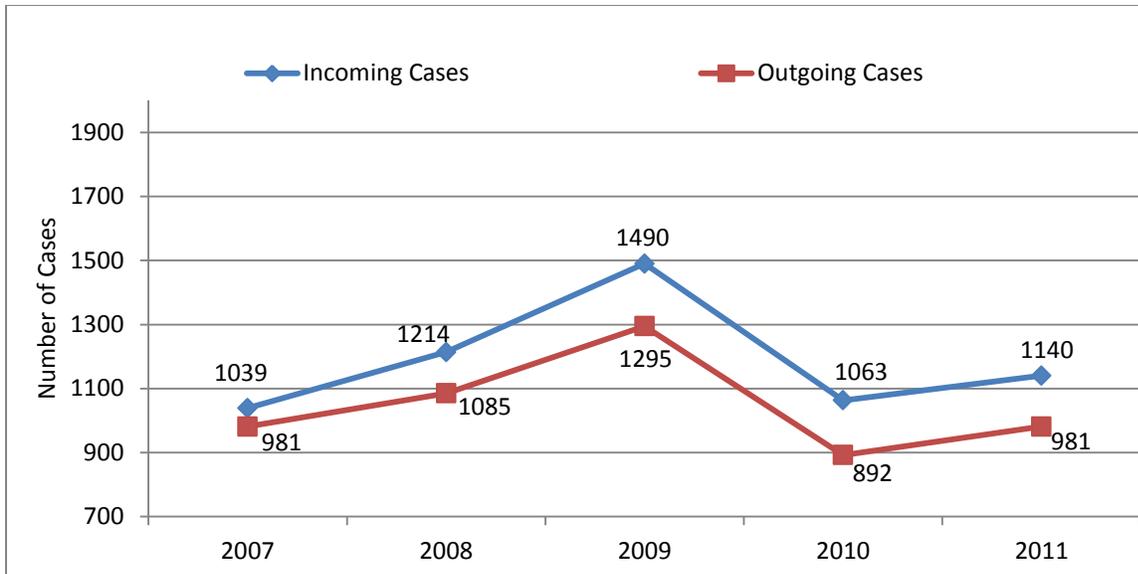


Figure 4. Juvenile case data – incoming versus outgoing cases 2007-2011.

Finding Number 6: Bryan Municipal Court clearance rates decreased from the year 2007 through the year 2011.

Table 2 below illustrates the clearance rate percentages per year. The year 2007 had the highest clearance rate of 96% and that was the highest percentage clearance rate of the five-year period. The annual clearance rate decreases with each year, with a 2% increase for the year 2011. The number of citations filed has decreased and the clearance rate has also decreased. The number of incoming cases for 2007 and 2011 has a difference of 101 cases and the number of outgoing cases is 981. The clearance rate for 2007 is 94% and the clearance rate for 2011 is 86% which is an 8% drop. The reasons for this merit further study outside the scope of this paper.

Table 2.

Juvenile case data clearance rates per month per year

MEASURE 2: CLEARANCE RATES

Incoming Cases	2007	2008	2009	2010	2011
JAN	75	84	150	103	100
FEB	92	105	188	128	121
MAR	118	97	207	91	134
APR	97	125	220	136	136
MAY	88	108	174	90	126
JUN	50	70	51	32	42
JUL	60	31	47	27	47
AUG	41	27	27	45	58
SEP	94	128	113	87	87
OCT	126	185	95	89	127
NOV	106	143	129	152	108
DEC	92	111	89	83	54
Total	1,039	1,214	1,490	1,063	1,140

Outgoing Cases	2007	2008	2009	2010	2011
JAN	71	79	127	88	86
FEB	85	98	166	108	104
MAR	113	89	181	73	116
APR	94	110	193	116	115
MAY	83	99	152	74	105
JUN	48	60	47	30	31
JUL	56	28	45	24	43
AUG	41	24	24	38	53
SEP	87	113	95	70	79
OCT	118	162	75	75	108
NOV	97	129	110	127	89
DEC	88	94	80	69	52
Total	981	1,085	1,295	892	981

Clearance rates
per year: **94%** **89%** **87%** **84%** **86%**

The clearance rate for the years 2007 through 2011 is illustrated in Figure 5 which shows that the year 2007 had the highest clearance rate of 94%. The clearance rate declined each year, thereafter with the lowest clearance rate of 84% in 2010. There were 1,063 incoming cases and the court cleared 892 outgoing cases. The following year, 2011, had a 2% increase over the previous year. There was an increase in the number of incoming cases for the year 2011.

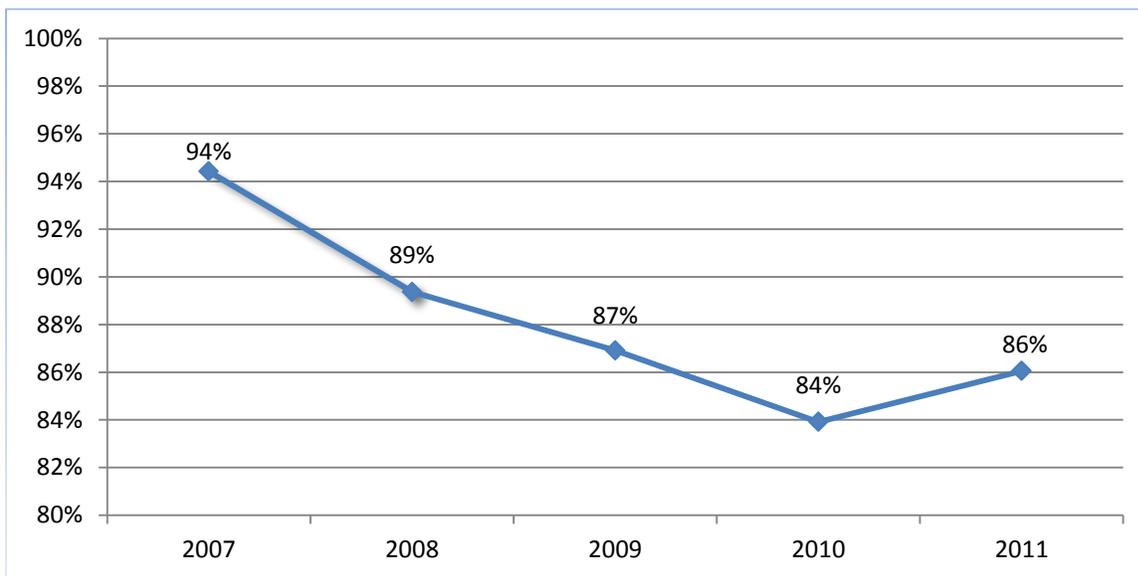


Figure 5. Juvenile case data – clearance rates per year.

Finding Number 7: Bryan Municipal Court has shown that it is capable of clearing a large number of cases within 120 days.

Measure 3 Time to Disposition was applied to the juvenile case data for the years 2007 through 2011. Figure 6 represents the results for the five-year period. The results show that over 250 cases up to 450 cases are cleared within 120 days. Approximately 150 to 200 cases are cleared between 120 and 180 days. After 181 days 150 cases or less are cleared. Every year has cases that take more than 360 days to clear and these are the stale cases that are hard to manage. These stale cases are the focus of this research and will be discussed in the next section.

Table 3 depicts the court's trends and percentages for the juvenile cases filed for the period of 2007 through 2011. The resolved cases are those where a disposition has been entered on the cases. The unresolved cases are those that do not have a disposition as the juvenile and parent has not made the required appearance before judge.

TABLE. 3.

2007 – 2011 CASES TRENDS AND PERCENTAGES									
		0-60	%	w/in	%	w/in	%	over	%
		days		180		360		360	stale
				days		days		days	cases
Year 2007									
resolved	981	577	55.53	182	17.51	174	16.74	48	
unresolved	58							58	
total # cases	1039							106	10.20
Year 2008									
resolved	1085	574	47.28	205	16.80	248	20.40	58	
unresolved	129							129	
total # cases	1214							187	15.40
Year 2009									
resolved	1295	564	37.80	165	11.07	423	28.38	144	
unresolved	195							195	
total # cases	1490							339	22.75
Year 2010									
resolved	892	410	38.60	158	14.87	262	24.67	62	
unresolved	170							170	
total # cases	1062							232	21.80
Year 2011									
resolved	981	468	41.16	135	11.87	339	29.81	39	
unresolved	156							156	
total # cases	1137	2593		845		1446		195	17.15
Total # Cases Filed	5942							1059	17.82

Note that the high level of stale cases (1059) shown above means that almost 20% of the court's apparently active caseload will not be resolved until these juveniles become 18 years of age and their cases are transferred to the adult court.

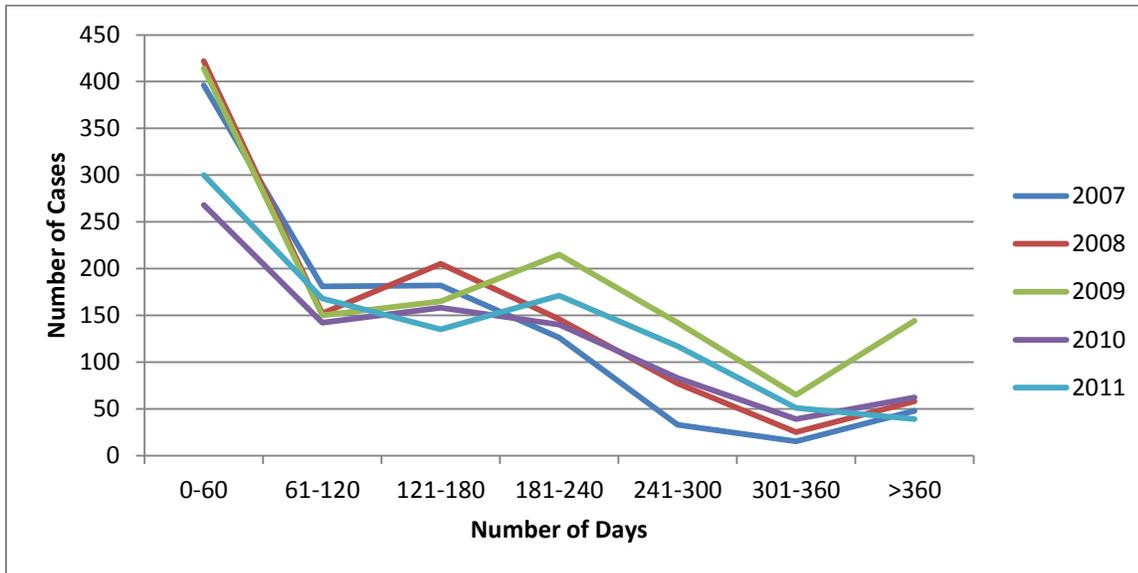


Figure 6. Juvenile case data - measure 3 time to disposition 2007-2011.

Overall, Bryan Municipal Court is capable of getting cases filed and capable of obtaining an “Entry of Judgment” on over 400 cases within 120 days. The entry of judgment becomes more difficult to obtain the longer it takes to bring the juvenile defendants and parents to court for their initial appearance or to bring the cases to full closure. The cases that take 360 days or more to clear are the cases that become very costly to the court to continue carrying and maintaining in the inventory. The judges, court staff, and local attorneys are in agreement that juvenile cases need to be processed and closed within 18 months. While parental summonses are not very effective due to the time spent researching addresses and physically locating the parents, the judges responded that issuance of a writ to take juvenile defendants and

their parents into custody should be “rarely” in comparison to the court staff’s response of “occasionally.”

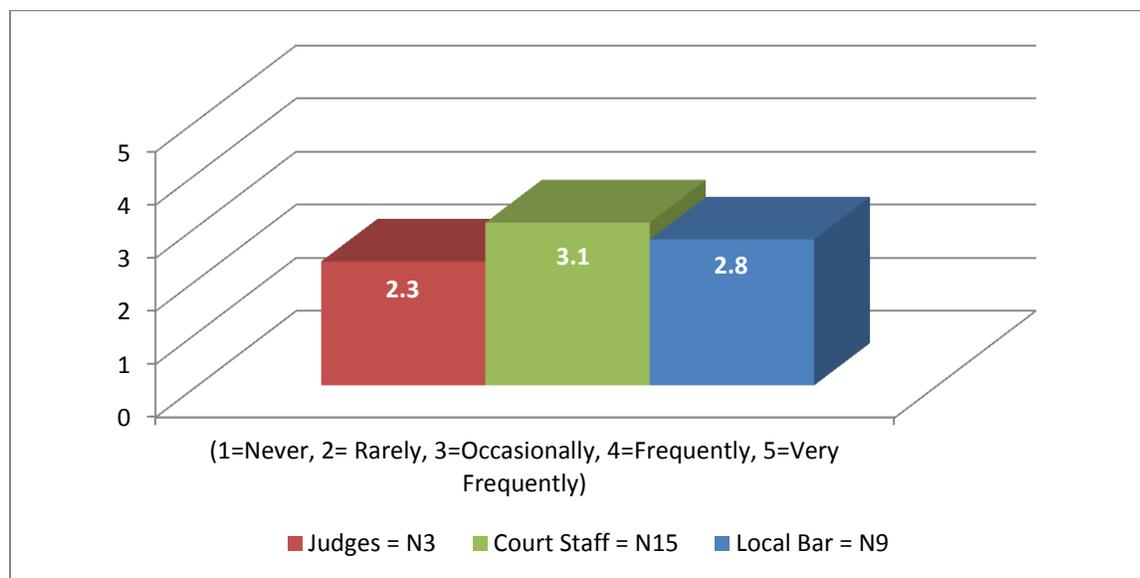


Figure 7. The frequency at which the judge should issue a writ to take into custody a child and a parent to expedite juvenile court proceedings.

Finding Number 8: The parental response to a Parental Summons and juveniles getting to court in a timely way is an issue with Bench, staff, and attorneys alike.

Figure 7 illustrates the responses from the Bench, staff, and attorneys. As mentioned above, the judges responded with a 2.3 which is “rarely” for the using a writ to bring the juvenile defendant and parent to the court. The staff’s response was a 3.1 corresponding to “occasionally” for using a writ to bring the juvenile defendant and parent into the court for their required appearance. The local attorney’s response was a 2.8 which is also “rarely” in comparison with the court staff.

Finding Number 9: Neither the Bench, staff nor attorneys want to use a writ taking a parent and child into custody as a means of expediting cases.

The Bench does not support the use of writs to gain the required appearance compliance by the juvenile defendant and parent. As illustrated in Figure 7 the staff’s

response of 3.1 which is “occasionally” that the court should issue a writ to bring the juvenile defendant and parent into custody corresponds to their knowledge of the number of parental summonses returned through the mail. The Bench and the local attorneys’ response is “rarely” that the court should issue a writ to bring the juvenile defendant and the parent into custody to bring them into court before the bench for their required appearance.

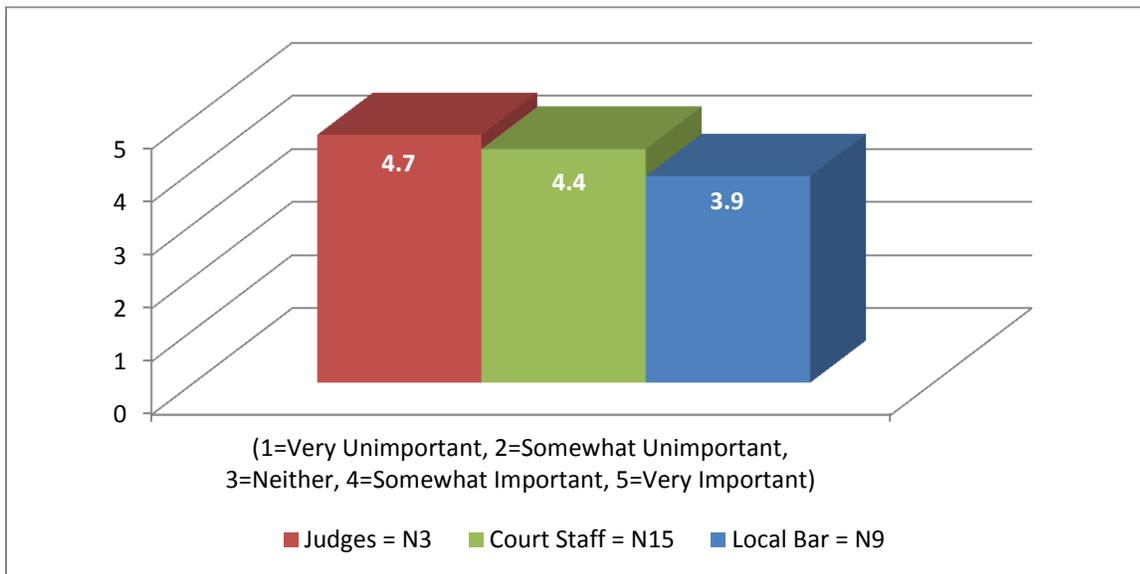


Figure 8. The importance that Bryan Municipal Court establishes case processing standards.

Finding Number 10: Staff reports a general lack of knowledge about relevant standards and case reporting requirements.

Staff’s responses in Figure 7 illustrate the staff response of 3.1 which is “occasionally” for the use of a writ to bring a juvenile defendant into court with their parent to fulfill the required appearance. Illustrated in Figure 3, staff’s response of 4.5 which is “somewhat important” indicates that the court should establish juvenile case processing standards. This is interesting as staff’s responses in Figure 1 is 2.5 which is

“little” familiarity with Texas juvenile case processing standards. Yet, they find the need for the court to have case processing time standards.

Finding Number 11: Attorneys do not see time standards as important, but do want juvenile cases handled within 18 months of filing.

The local attorneys’ mean response of 3.2 indicating “some” familiarity with Texas juvenile case processing is illustrated in Figure 1. As mentioned previously, the staff response of 4.5 suggests that juvenile cases should be closed within 18 months from the filing date and this is congruent to the local attorneys’ response of 4.0 in Figure 3.

Conclusions and Recommendations

Holding juvenile and adult defendants accountable is vital to the court's integrity. Public confidence diminishes when cases languish and become stale. Establishing time standards and implementing CourTools allows for greater efficiency and accountability by all the parties involved in processing cases. Implementing CourTools will also ensure the OCA monthly report is accurate. Overall, the Court does well in getting a disposition on a case. However, it does not do as well in obtaining case compliance resulting in the complete case closure. CourTools provides a means for measuring performance that can easily be seen by the judges, court staff, and local attorneys. Implementation of CourTools provides a baseline for self measurement that will bring greater transparency to the public and set the court up for a comparative performance measurement at a later point in time.

Conclusion Number 1: The questionnaire responses provide a gauge of the knowledge and opinions the judges, court staff and local attorneys have about (a) juvenile case processing standards, (b) the OCA monthly report and (c) the court's case volume. This measurement provides important knowledge about each targeted group to provide a launching point for designing a program of instruction to meet their education needs. There is little cost in addressing this issue once the presiding judge approves this course of action. Time needs to be spent researching educational seminars and costs to attend these seminars.

Recommendation Number 1: The presiding judge and court administrator need to plan for and ensure adequate funds for educational seminars for the judges and court

staff. This will fill the existing knowledge gaps regarding juvenile case management. Also, the court should set up an open house and invite local attorneys to attend to educate them about performance measures and the court's desire to perform with greater accountability and transparency, creating greater public confidence in the local judiciary.

The court should gather information about educational opportunities locally or within a drivable distance and get cost estimates for these opportunities to be placed into the court's budget for approval the next budget cycle. Also, the court should seek alternative methods of obtaining education such as content-specific webinars that can be broadcast in-house at little to no cost. Educational content sought should include terminology, CourTools, and time standards to enrich judge and court staff knowledge of the importance of moving cases toward a disposition and enforcement of judgments to bring the cases to full closure.

Conclusion Number 2: While there is a very high level of judicial support for case processing standards, the court staff has not been exposed or educated about case processing standards. The local attorneys indicated some support of the court having case processing standards. All of the aforementioned parties need more exposure and education about Texas juvenile case processing standards.

Recommendation Number 2: The court administrator and presiding judge need to seek educational opportunities for the judges, staff, and local attorneys. The aforementioned course of action in Recommendation Number 1 can address the

educational needs about case processing standards for the judges, court staff and local attorneys.

Conclusion Number 3: The Bench has more familiarity with the OCA monthly report than does the court staff, and local attorneys. The Bench has more familiarity because they have received some training through their mandatory judicial training about the expanded format of the report and the items that have to be reported. The staff and local attorneys have not been exposed or received any training regarding the change in the format or the number of items that must be captured on a monthly basis.

Recommendation Number 3: The court administrator needs to contact the Texas Office of Court Administration to see if they have any personnel who can come out to the local court to provide the judges and court staff training specifically pertaining to the monthly report format and the items to be captured on a monthly basis. The local attorneys can be invited to the court at a later time to receive similar training regarding the monthly report to provide them an understanding of what is required of the court and what items are captured. There should be little to no cost to implement this recommendation as the state usually absorbs the court for their personnel doing training in the field. This training could possibly be incorporated with a local bar meeting.

Conclusion Number 4: The Bench, court staff, and local attorneys have expressed a high level of support of wanting to close cases within 18 months of filing. This a significant finding as it will provide a vehicle to promulgate changes within the court that will allow it to become an evidence-based court in the future.

Recommendation Number 4: The court administrator and presiding judge can move toward an evidence-based future by providing education to the Bench, court staff, and local attorneys as mentioned in Recommendation Number 1.

Conclusion Number 5: Bryan Municipal Court does not have a standardized means of addressing the number of stale juvenile cases. This results in juveniles not being held accountable for their actions and not bringing closure to the cases. This leads to maintaining a large inactive stale case inventory and ultimately to inaccurate statistics on the OCA monthly report. Carrying and maintaining a large inactive stale case inventory is costly to the court as it must be stored physically on shelves or in a storage facility and on a database using valuable computer space. Currently, there is no retention schedule or statutory guidance for handling stale cases within the Texas municipal courts. All who responded to the questionnaire indicated that Bryan Municipal Court should close juvenile cases within 18 months from the date of filing.

Recommendation Number 5: The Court needs to set up an in-house committee comprised of a judge, two staff members, prosecutor and two local attorneys to study this issue. The Committee should explore how other Texas Municipal Courts handle their stale cases. This Committee should investigate the means or procedures other Municipal Courts have in place to handle and dispose stale case inventory. The committee should also propose and make written recommendations to the presiding judge and court administrator. This recommendation would incur little to no cost.

Conclusion Number 6: All Judges and staff members have a duty and responsibility to process cases in a timely way and bring complete closure to each case. Complete closure on cases includes the full satisfaction of the fine assessed. Holding the juvenile accountable for their actions must be meaningful. Allowing cases to languish negates accountability.

Recommendation Number 6: Create an in-house committee comprised of a judge, prosecutor, and two staff members to review existing juvenile case processing policies and procedures to determine why clearance rates have been falling over the past five years. The committee can make recommendations for increasing and attaining a 100% clearance rate annually. The court should be capable of reaching this clearance rate annually. The committee should make written recommendations to the presiding judge and court administrator regarding in-house and research findings from other Texas municipal courts' current best practices to assist in increasing this court's case disposition and closure rate. This recommendation would incur little fiscal impact to implement due to staff time spent conducting research.

Conclusion Number 7: The parental response to Parental Summons and juveniles getting to court in a timely way is a significant issue. It adds directly to the backlog of stale cases and needs to be addressed. Each year adds to the number of cases pending and this backlog affects the OCA monthly report statistics.

Recommendation Number 7: The court should use the committee identified above to examine the magnitude of this problem and craft a proper response. Since respondents agreed that the court should not take a parent or child into custody as a means of

expediting cases, it is likely that other means will have to be agreed to. Failure to appear seems to be a statewide problem. Therefore, the court should consult other jurisdictions in a search for best practices here.

Conclusion Number 8: This court and other Texas Municipal Courts deal with a large case volume. This court and other Municipal Courts carry and maintain large inactive stale cases in their inventory that affects the accuracy of the OCA monthly report. Currently, there is no statutory guidance to handle this problem.

Recommendation Number 8: Texas has two municipal court associations, the Texas Municipal Courts Association and the Texas Court Clerks Association, that are well established and each has an active legislative committee. A partnership between the two legislative committees can explore the feasibility of proposing and introducing legislative action to enact statutory guidance for handling inactive stale case inventory in the municipal courts. This recommendation will take time and effort by the committees to produce meaningful legislation during the next legislative session. The cost of implementing this recommendation would be to the association for committee meetings. An alternative method of conducting meetings at little to no cost would be have conference calls or webinars to present and share information between the committees.

Conclusion Number 9: Neither the Bench, court staff nor the local attorneys want to use a writ to take a parent and child into custody as a means of expediting the juveniles cases. The court's ability to obtain a plea on juvenile cases is affected by the numbers who fail to appear on the parental summonses. The court's ability to bring cases to full

closure is also affected by when a juvenile defendant and his parent do not appear for the show cause hearings in an effort to bring full closure to the juvenile cases.

Recommendation Number 9: The committee identified in recommendation number 6 should be utilized to investigate the magnitude of this problem and craft a response to this issue. The recommendations should be viable options that are palatable to all stakeholders in order to increase the statutory court appearances which will in turn increase the juvenile case clearance rate on an annual basis.

Conclusion Number 10: Court staff finds the need for the court to have case processing time standards even though they have not been exposed to or educated about case processing time standards. They currently have no relevant knowledge about case standards.

Recommendation Number 10: The Court Administrator should spend time educating the court staff about time standards and case processing standards. This educational opportunity would have some fiscal impact as the court would need to spend an entire day in training devoted to this topic to ensure the staff understands these concepts and they can spend time crafting an in-house solution to these issues.

Conclusion Number 11: The local attorneys want the juvenile cases handled within 18 months of filing. The local attorneys do not see the time standards as important as the court staff or the judges. The judges and court staff need more education prior to educating the local attorneys as to the OCA case processing requirements and the number of elements that must be captured on the monthly statistical report.

Recommendation Number 11: The local attorneys can be introduced to the OCA case processing requirements along with time standards and the number of steps involved in processing juvenile cases at the open house in Recommendation Number 1. The local attorneys also should be included as stakeholders on the in-house committee identified above to investigate the court's processes and procedures so as to increase the clearance rates by bringing cases to full closure within 18 months desired by all of the stakeholders.

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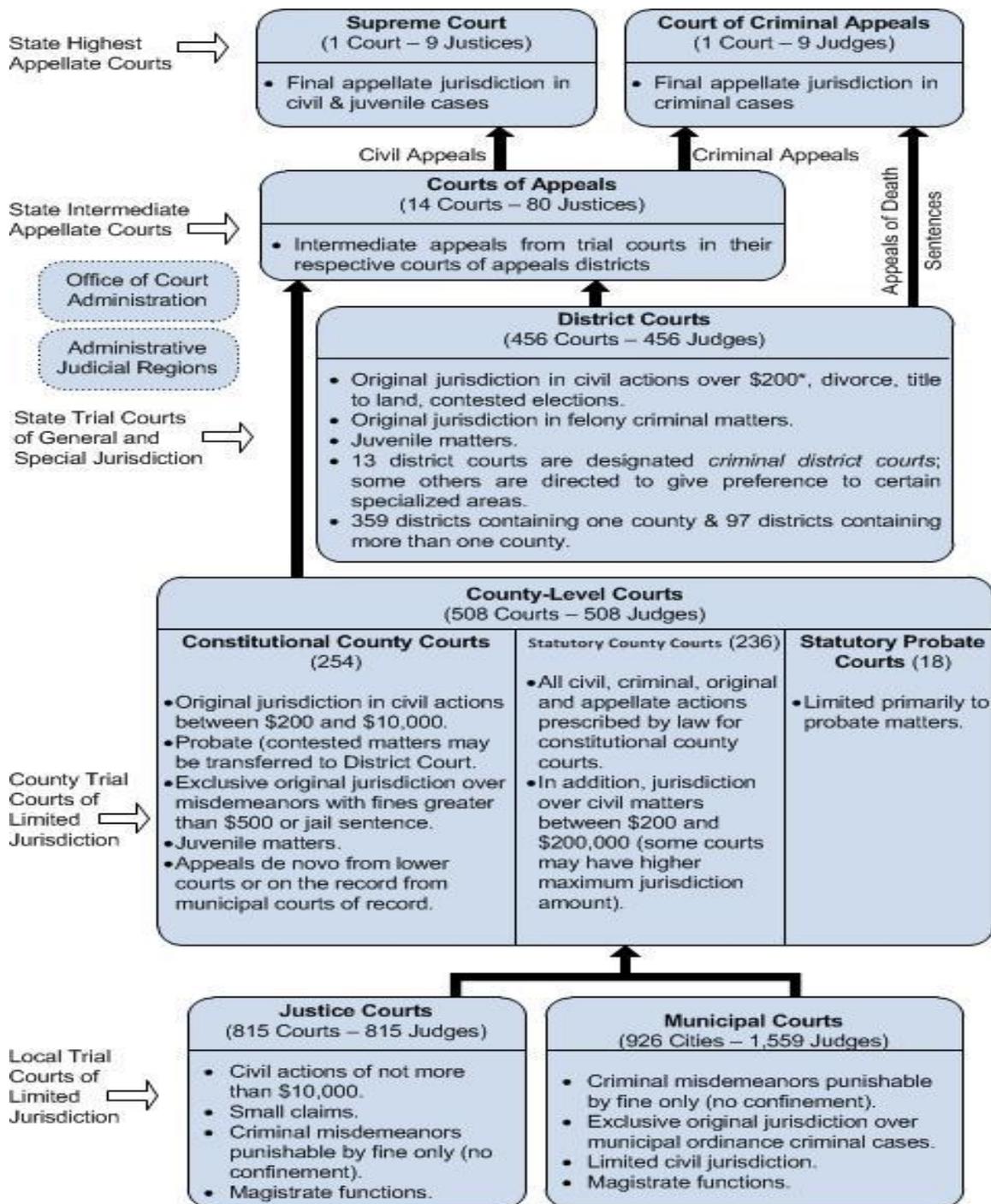
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Appendix A: Court Structure of Texas

Court Structure of Texas



Appendix B: CourTools Measure 2: Clearance Rates

Clearance Rates

Measure

2



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

Purpose: Clearance rate measures whether the court is keeping up with its incoming caseload. If cases are not disposed in a timely manner, a backlog of cases awaiting disposition will grow. This measure is a single number that can be compared within the court for any and all case types, from month to month and year to year, or between one court and another. Knowledge of clearance rates by case type can help a court pinpoint emerging problems and indicate where improvements may be made. Courts should aspire to clear (i.e., dispose of) at least as many cases as have been filed/reopened/reactivated in a period by having a clearance rate of 100 percent or higher.

Method: Computing a clearance rate requires a count of incoming cases and outgoing cases during a given time period (e.g., year, quarter, or month).

Step 1 Incoming cases are summed using three kinds of cases: *New Filings*, *Reopened* cases, and *Reactivated* cases. If *Reopened* and *Reactivated* cases cannot be counted, just use *New Filings*.

Sum incoming cases	New Filings		812
	Reopened Cases	+	162
	Reactivated Cases	+	109
	Total Incoming Cases	=	1,083

Step 2 Outgoing cases are summed by using three kinds of dispositions: *Entry of Judgment*, *Reopened Dispositions*, and *Placed on Inactive Status*. If *Reopened Dispositions* and *Placed on Inactive Status* cases cannot be counted, just use *Entry of Judgment* cases.

Sum outgoing cases	Entry of Judgment		684
	Reopened Disposition	+	137
	Placed on Inactive Status	+	92
	Total Outgoing Cases	=	913

Step 3 The clearance rate is calculated by dividing the result of Step 2 by the result of Step 1.

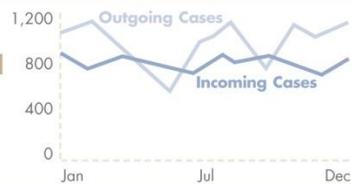
Calculate clearance rate	$913 \div 1,083 = 84\%$
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Analysis and Interpretation

The process...

Plot incoming and outgoing cases over time



Calculate a clearance rate



	Outgoing	Incoming	Clearance Rate
Apr	855	843	= 101%
May	734	825	= 89%
June	635	774	= 82%
July	1,016	965	= 105%

partial data shown

Set a clearance rate goal



Monitor, analyze, take action



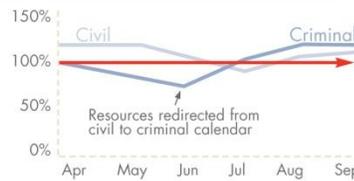
Clearance Rates

Measure

2

This chart shows clearance rates for two case types (Civil and Criminal) for six months. The Civil clearance rate was above the target level of 100 percent at the beginning of this period. However, the Criminal clearance rate was falling significantly below the target level. The court implemented new caseload management practices and redirected resources from the Civil calendar to the Criminal calendar to improve Criminal case processing. The chart shows that the Criminal clearance rate improved. By the end of the six-month period, the clearance rates for the two case types were in balance. Clearance rate data allow the court to see whether its caseload management changes had the desired effect.

Monthly Clearance Rates for managing criminal and civil caseloads



Further analysis shows how clearance rates can be compared on an annual basis to assess the impact of new policies. For example, highlighting districts that reach a clearance rate target allows court managers to assess the effectiveness of caseload management practices across court divisions, court locations, or courtroom by courtroom.

Annual Clearance Rates for assessing comparative performance

	Criminal Cases	Above 100%	Civil Cases	Above 100%
District 1	87%		103%	X
District 2	105%	X	92%	
District 3	93%		102%	X
District 4	90%		101%	X
District 5	107%	X	83%	

Three years of data provides a more representative picture of clearance rate trends by smoothing yearly fluctuations.

3-Year Clearance Rates for analyzing trends

	2002	2003	2004	3-Year Average
District 3	105%	114%	99%	106%
District 2	106%	100%	101%	102%
District 1	100%	99%	97%	99%
District 4	99%	98%	95%	97%
District 5	96%	90%	89%	91%



Terms You Need to Know

Entry of Judgment: A count of cases for which an original entry of judgment—the court’s final determination of the rights and obligations of the parties to a case—has been filed. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

New Filing: A count of cases that have been filed with the court for the first time.

Placed on Inactive Status: A count of cases whose status has been administratively changed to inactive because the court will take no further action in the case until an event restores the case to the court’s active pending caseload.

Reactivated: A count of cases that had previously been placed in an inactive pending status, but for which further court proceedings and activities can now be resumed so that the case can proceed to disposition.

Reopened: A count of cases in which judgments have previously been entered but which have been restored to the court’s pending caseload due to the filing of a request to modify or enforce the existing judgments. When a Reopened Case is disposed of, report the disposition as a Reopened Disposition.

Reopened Disposition: A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

For a full discussion of these definitions, see the *State Court Guide to Statistical Reporting*, available at: www.ncsconline.org/d_research/statistical_reporting.



CourTools

Developed by the NCSC Court Performance Community of Practice.

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Appendix C: CourTools Measure 3: Time to Disposition

Time to Disposition

Measure 3

Definition: The percentage of cases disposed or otherwise resolved within established time frames.

Purpose: This measure, used in conjunction with *Measure 2 Clearance Rates* and *Measure 4 Age of Active Pending Caseload*, is a fundamental management tool that assesses the length of time it takes a court to process cases. It compares a court's performance with local, state, or national guidelines for timely case processing. When the underlying data conform to the *State Court Guide to Statistical Reporting*, the measure takes into account periods of inactivity beyond the court control (e.g., absconded defendants, cases suspended pending decision on an appeal) and provides a framework for meaningful measurement across all case types.

The case processing time standards published by the American Bar Association (ABA) and those published by the Conference of State Court Administrators (COSCA) provide a starting point for determining guidelines. Many states and individual courts have adopted their own guidelines, and certain case types (e.g., juvenile) have been the focus of more detailed guidelines by a variety of organizations. Courts should take note of existing guidelines and rules of court in their jurisdiction when developing their own guidelines for each case type.

COSCA Case Processing Standards

Civil

- Non-Jury Trial – 100% within 12 months
- Jury Trial – 100% within 18 months

Criminal

- Felony – 100% within 180 days
- Misdemeanor – 100% within 90 days

Juvenile

- Detention and Shelter Hearings – 100% 24 hours
- Adjudicatory or Transfer Hearings
 - Concerning a juvenile in a detention or shelter facility – 100% within 15 days
 - Concerning a juvenile not in a detention or shelter facility – 100% within 30 days

Domestic

- Uncontested – 100% within 3 months
- Contested – 100% within 6 months

ABA Case Processing Standards

Civil

- 90% within 12 months
- 98% within 18 months
- 100% within 24 months

Criminal

- Felony
 - 90% within 120 days
 - 98% within 180 days
 - 100% within 1 year
- Misdemeanor
 - 90% within 30 days
 - 100% within 90 days

Juvenile

- Detention and Shelter Hearings – 100% 24 hours
- Adjudicatory or Transfer Hearings
 - Concerning a juvenile in a detention or shelter facility – 100% within 15 days
 - Concerning a juvenile not in a detention or shelter facility – 100% within 30 days

Domestic

- 90% within 3 months
- 98% within 6 months
- 100% within 1 year

Source: National Center for State Courts Web site, www.ncsconline.org/WC/Publications/KIS_CasManCPTSPub.pdf.

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Method:

This measure should be reviewed on a regular (e.g., monthly, quarterly, annual) basis. If reviewed regularly, the court can observe trends as they develop, then aggregate the data for annual reporting.

For each case type, the first task is to compile a list of all cases that were disposed or otherwise resolved during the reporting period. For the purpose of this measure, "disposed or otherwise resolved" is defined as having had an *Entry of Judgment*. If the data for the measure are not available in automated form, and data collection requires manual review of case files, then the measure will likely need to be taken on an annual basis. Sampling is an option in courts where case volumes are high.

Sampling

This measure should be calculated for all cases disposed or otherwise resolved during the reporting period. However, sampling will be necessary in courts where case volumes are high if a complete report cannot be produced by the case management system. In most instances, a sample of 300 cases will be sufficient. To obtain a random sample requires: a list of all cases in the population, a unique identification number for each case, and a method for selecting cases. A straightforward method is systematic sampling where only the first case is randomly selected and then every *n*th case from a list is selected for the sample, i.e., if the total number of civil cases in a court was 3,000 and the sample size was to be 300 cases, select every tenth case ($3000/300=10$).

Which Cases Are Included?

There are two kinds of cases for which the time to disposition can be computed. The first are typical cases that move through the system without interruption. When these cases are disposed or otherwise resolved by *Entry of Judgment* during the reporting period, they should be counted. The filing dates for these cases will vary, but what qualifies them for inclusion is the fact that the disposition dates all fall within the reporting period (e.g., the calendar year).

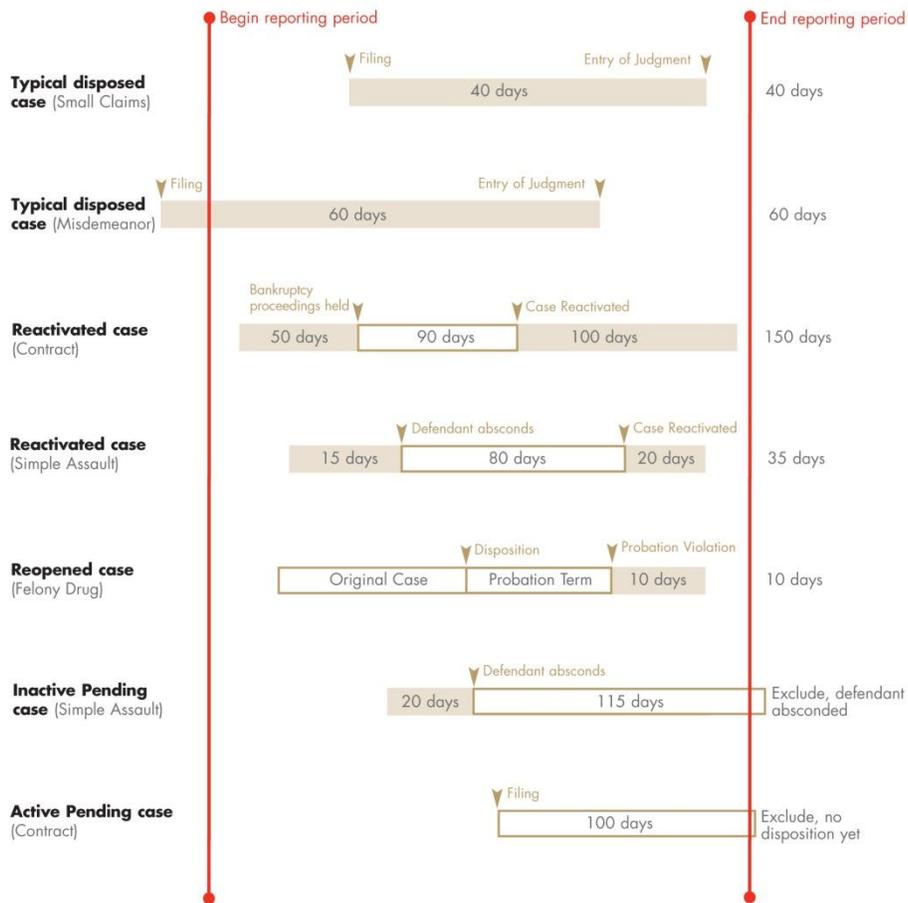
The second kind are cases that had their progress interrupted and underwent a period of inactivity, but were *Reopened* or *Reactivated* by the court and disposed of during the reporting period. An example of this is a contract case that is *Placed on Inactive Status* pending the outcome of bankruptcy proceedings. Following those proceedings, the contract case resumes and is disposed. Another example is a criminal case in which the defendant absconds after the case was filed. The case is *Placed on Inactive Status* during this time, but when the defendant is apprehended and returned to court, the case resumes and is disposed.

Cases in which judgment was previously entered but which have been *Reopened* due to a request to modify or enforce existing judgments are also included. For example, the court might grant a motion to consider newly discovered evidence, and thus reopen a case. In juvenile cases, a case might be reopened due to violation of probation, or due to failure of parents to comply with a court order. When these *Reopened* cases are disposed during the reporting period, they should be included in this measure. In all these examples, the time that is counted starts when the case is reopened, not with the date of the original filing.



Cases that are in an official period of inactivity at the end of the reporting period should *not* be included in this measure. As this type of case is considered to be among the court's *Inactive Pending* cases at the end of the reporting period (i.e., they are not moving toward disposition for a known and legitimate reason and the court is aware of this), they should be excluded from the analysis. *Active Pending* cases are excluded from analysis, since no disposition has been reached.

Time Calculation Examples





Time to Disposition

Measure 3

Analysis and Interpretation

Superior Court

Division	Percentage of Cases Disposed				Number of Days	
	180 days		365 days		Mean	Median
	Current	Goal	Current	Goal		
Criminal	70%	98%	97%	100%	170	121
Civil	82%	na	95%	90%	151	93
Domestic	90%	98%	92%	100%	158	105

This table summarizes time to disposition in one court across three case types. The court is almost meeting its 365-day standard in criminal cases, exceeding its 365-day standard in civil cases, and lagging behind in domestic cases. The court should examine criminal caseload management in the first 180 days, the period in which the court is furthest from its goal.

Time to Disposition in Felony Cases- 100% at 365-Day Time Standard



This court has adopted the ABA standard for felony cases. The court was steadily improving, and nearly met this goal in June, but in the months following, time to disposition increased. The court needs to examine what happened in July and October to determine the source of the periodic drops in performance.

Comparing Time to Disposition in Civil and Criminal Cases (using a 365-Day Time Standard)

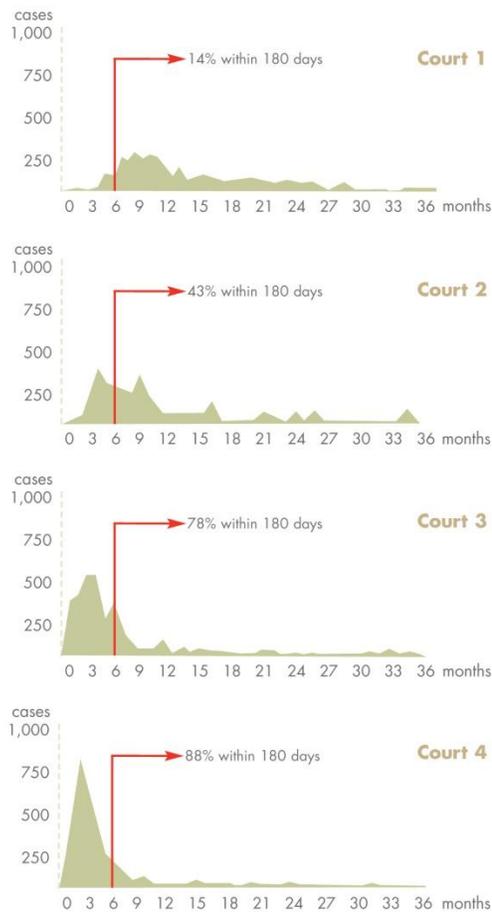


Increases in the criminal caseload caused the court to shift judicial officers from civil to criminal cases and initiate caseload management improvements in June. Time to disposition for criminal cases did improve, but not without an increase in time to disposition for civil cases.

The graphics here show one way to display time to disposition data for felony cases in four courts. The data show that the vast majority of cases are resolved within six months in the two faster courts, compared to about eighteen months in the two slower courts. The profile of felony case time to disposition in different courts may vary due to the seriousness of the case mix, charging and pleading practices, and the manner of disposition. Of course, differences in time to disposition will also result from variation in court case management practices. Documenting differences in case processing time among courts is the first step in analyzing the reasons for those differences.

For all types of cases, time to disposition is a basic court management tool. Compiling data on the timing of key case events, consistent definition of terms, and distinguishing between active and inactive cases are basic ingredients to understanding and improving caseload management.

Percent of Felony Cases Disposed Within 36 Months...



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Terms You Need to Know

Active Pending: A count of cases that, at the end of the reporting period, are awaiting disposition.

Entry of Judgment: A count of cases for which an original entry of judgment—the court's final determination of the rights and obligations of the parties to a case—has been filed. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.

Mean: The average value of a set of numbers, equal to the sum of all values divided by the number of values.

Median: The middle value in a distribution of numbers. Half of the values will be above this point, half will be below.

Percentile: A percentile is a score below which a given percentage of the cases falls. Thus, if cases aged 120 days represent the 90th percentile of a court's pending caseload, it means that 90% of those cases are aged 120 days or less. Spreadsheet and statistical software can calculate percentile ranking of data.

Placed on Inactive Status: A count of cases whose status has been administratively changed to inactive because the court will take no further action in the case until an event restores the case to the court's active pending caseload.

Random Sample: A sample chosen that minimizes bias in the selection process. A random sample of case files is typically generated by a computer or selected from a random number table. Systematic samples require a randomly selected starting point, then the taking of every *n*th case, i.e., if the total number of civil cases in a court was 3,000 and the sample size was to be 300 cases, select every tenth case ($3,000 \div 300 = 10$).

Reactivated: A count of cases that had previously been placed in an Inactive Pending status, but for which further court proceedings and activities can now be resumed so that the case can proceed to disposition.

Reopened: A count of cases in which judgments have previously been entered but which have been restored to the court's pending caseload due to the filing of a request to modify or enforce the existing judgment.

Reopened Disposition: A count of cases that were disposed of by a modification to and/or enforcement of the original judgment of the court.

Time Standards: An acknowledged measure of comparison, measured as the time (in days) it takes to process a case, from filing to disposition. A time standard is expressed in terms of the percentage of cases that should be resolved within a certain time frame (e.g., 98% within 180 days).



CourTools

Developed by the NCSC Court
Performance Community of Practice.

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Appendix D: Court Staff Questionnaire

Bryan Municipal Court Staff Questionnaire

The purpose of this questionnaire is to gather data to inform and ultimately improve the processing of juvenile cases within this court.

This questionnaire is entirely voluntary to complete and your individual responses will be kept confidential. It should only take about 15 minutes to complete.

Using the response scale below, please enter an “x” in the corresponding column:

1= Not at all	2= To a little extent	3 = To some extent	4 = To a moderate extent	5 = To a large extent
---------------	-----------------------	--------------------	--------------------------	-----------------------

1. To what extent are you familiar with...	1	2	3	4	5
--------------------------------------------	---	---	---	---	---

- a. The American Bar Association case processing standards?
- b. Texas juvenile case processing standards?
- c. Texas Office of Court Administration (OCA) accounting for case activity?
- d. The number of juvenile case items or categories that must be provided on the OCA report?
- e. The total number of juvenile cases filed yearly in this court?

2. Please indicate your degree of interest in the items captured in the monthly OCA report:

- 1. No interest
- 2. Little interest
- 3. Some interest
- 4. Moderate interest
- 5. Considerable interest
- 6. Not familiar with what items are captured on this report.

Please enter an “x” by your answer above.

Using the response scale below, please enter an “x” in the corresponding column:

1= Very Unimportant	2= Somewhat Unimportant	3 = Neither Important nor Unimportant	4 = Somewhat Important	5 = Very Important
---------------------	-------------------------	---------------------------------------	------------------------	--------------------

3. How important is it to you...	1	2	3	4	5
----------------------------------	---	---	---	---	---

a. that Bryan Municipal Court establishes case processing standards?

b. for Court employees to handle juvenile cases within 18 months or less from the date of filing to the day all associated fines/fees are paid?

4. Please state your level of agreement with the following statement: Bryan Municipal Court should stay abreast of closing juvenile cases before the child reaches 18 years of age.

- 1. Strongly Disagree
- 2. Disagree
- 3. Neither Agree nor Disagree
- 4. Agree
- 5. Strongly Agree

1= Very Dissatisfied	2= Dissatisfied	3 = Neither Satisfied nor Dissatisfied	4 = Satisfied	5 = Very Satisfied
----------------------	-----------------	----------------------------------------	---------------	--------------------

5. How satisfied are you with.....	1	2	3	4	5
------------------------------------	---	---	---	---	---

a. the rate of response by a parent to a parental summons?

b. the juvenile defendant getting to court on a timely basis?

6. How frequently do you think the Judge should issue a writ to take into custody a child and a parent to expedite juvenile court proceedings?

- 1. Never
- 2. Rarely
- 3. Occasionally
- 4. Frequently
- 5. Very frequently

7. Do you have any comments and/or clarification you would like to add for consideration?

If you have any questions, concerns, or to request a copy of the report when research is complete, please contact:

Hilda Cuthbertson, Court Administrator
Bryan Municipal Court
Office: 979.209.5424
E-mail: hcuthbertson@bryantx.gov

Appendix E: Judges Questionnaire

Bryan Municipal Judges Questionnaire

The purpose of this questionnaire is to gather data to inform and ultimately improve the processing of juvenile cases within this court.

This questionnaire is entirely voluntary to complete and your individual responses will be kept confidential. It should only take about 15 minutes to complete.

Using the response scale below, please enter an “x” in the corresponding column:

1= Not at all	2= To a little extent	3 = To some extent	4 = To a moderate extent	5 = To a large extent
---------------	-----------------------	--------------------	--------------------------	-----------------------

1. To what extent are you familiar with...	1	2	3	4	5
--------------------------------------------	---	---	---	---	---

- a. The American Bar Association case processing standards?
- b. Texas juvenile case processing standards?
- c. Texas Office of Court Administration (OCA) accounting for case activity?
- d. The number of juvenile case items or categories that must be provided on the OCA report?
- e. The total number of juvenile cases filed yearly in this court?

2. Please indicate your degree of interest in the items captured in the monthly OCA report:

- 1. No interest
- 2. Little interest
- 3. Some interest
- 4. Moderate interest
- 5. Considerable interest
- 6. Not familiar with what items are captured on this report.

Please enter an “x” by your answer above.

Using the response scale below, please enter an “x” in the corresponding column:

1= Very Unimportant	2= Somewhat Unimportant	3 = Neither Important nor Unimportant	4 = Somewhat Important	5 = Very Important
---------------------	-------------------------	---------------------------------------	------------------------	--------------------

3. How important is it to you...	1	2	3	4	5
----------------------------------	---	---	---	---	---

a. that Bryan Municipal Court establishes case processing standards?

b. for Court employees to handle juvenile cases within 18 months or less from the date of filing to the day all associated fines/fees are paid?

4. Please state your level of agreement with the following statement: Bryan Municipal Court should stay abreast of closing juvenile cases before the child reaches 18 years of age.

- 1. Strongly Disagree
- 2. Disagree
- 3. Neither Agree nor Disagree
- 4. Agree
- 5. Strongly Agree

1= Very Dissatisfied	2= Dissatisfied	3 = Neither Satisfied nor Dissatisfied	4 = Satisfied	5 = Very Satisfied
----------------------	-----------------	----------------------------------------	---------------	--------------------

5. How satisfied are you with.....	1	2	3	4	5
------------------------------------	---	---	---	---	---

a. the rate of response by a parent to a parental summons?

b. the juvenile defendant getting to court on a timely basis?

6. How frequently do you think the Judge should issue a writ to take into custody a child and a parent to expedite juvenile court proceedings?

- 1. Never
- 2. Rarely
- 3. Occasionally
- 4. Frequently
- 5. Very frequently

7. Do you have any comments and/or clarification you would like to add for consideration?

If you have any questions, concerns, or to request a copy of the report when research is complete, please contact:

Hilda Cuthbertson, Court Administrator
Bryan Municipal Court
Office: 979.209.5424
E-mail: hcuthbertson@bryantx.gov

Appendix F: Bryan Local Attorneys Questionnaire

Bryan Local Attorneys Questionnaire

The purpose of this questionnaire is to gather data to inform and ultimately improve the processing of juvenile cases within this court.

This questionnaire is entirely voluntary to complete and your individual responses will be kept confidential. It should only take about 15 minutes to complete.

Using the response scale below, please enter an “x” in the corresponding column:

1= Not at all	2= To a little extent	3 = To some extent	4 = To a moderate extent	5 = To a large extent
---------------	-----------------------	--------------------	--------------------------	-----------------------

1. To what extent are you familiar with...	1	2	3	4	5
--------------------------------------------	---	---	---	---	---

- a. The American Bar Association case processing standards?
- b. Texas juvenile case processing standards?
- c. Texas Office of Court Administration (OCA) accounting for case activity?
- d. The number of juvenile case items or categories that must be provided on the OCA report?
- e. The total number of juvenile cases filed yearly in this court?

2. Please indicate your degree of interest in the items captured in the monthly OCA report:

- 1. No interest
- 2. Little interest
- 3. Some interest
- 4. Moderate interest
- 5. Considerable interest
- 6. Not familiar with what items are captured on this report.

Please enter an “x” by your answer above.

Using the response scale below, please enter an “x” in the corresponding column:

1= Very Unimportant	2= Somewhat Unimportant	3 = Neither Important nor Unimportant	4 = Somewhat Important	5 = Very Important
---------------------	-------------------------	---------------------------------------	------------------------	--------------------

3. How important is it to you...	1	2	3	4	5
----------------------------------	---	---	---	---	---

a. that Bryan Municipal Court establishes case processing standards?

b. for Court employees to handle juvenile cases within 18 months or less from the date of filing to the day all associated fines/fees are paid?

4. Please state your level of agreement with the following statement: Bryan Municipal Court should stay abreast of closing juvenile cases before the child reaches 18 years of age.

- 1. Strongly Disagree
- 2. Disagree
- 3. Neither Agree nor Disagree
- 4. Agree
- 5. Strongly Agree

1= Very Dissatisfied	2= Dissatisfied	3 = Neither Satisfied nor Dissatisfied	4 = Satisfied	5 = Very Satisfied
----------------------	-----------------	----------------------------------------	---------------	--------------------

5. How satisfied are you with.....	1	2	3	4	5
------------------------------------	---	---	---	---	---

a. the rate of response by a parent to a parental summons?

b. the juvenile defendant getting to court on a timely basis?

6. How frequently do you think the Judge should issue a writ to take into custody a child and a parent to expedite juvenile court proceedings?

- 1. Never
- 2. Rarely
- 3. Occasionally
- 4. Frequently
- 5. Very frequently

6. a. Have you ever represented a juvenile defendant on Bryan Municipal Court offenses?

_____ Yes _____ No

7. Do you have any comments and/or clarification you would like to add for consideration?

If you have any questions, concerns, or to request a copy of the report when research is complete, please contact:

Hilda Cuthbertson, Court Administrator
Bryan Municipal Court
Office: 979.209.5424
E-mail: hcuthbertson@bryantx.gov

Appendix G: Questionnaire Responses

Bryan Municipal Court Judges - 3 Responses

1. To what extent are you familiar with: (1= None, 2=Little, 3=Some, 4=Moderate, 5=Large)	1	2	3	Mean
a. The American Bar Association case processing standards?	5	3	2	3.3
b. Texas juvenile case processing standards?	5	5	3	4.3
c. Texas Office of Court Administration (OCA) accounting for case activity?	5	4	1	3.3
d. The number of juvenile case items or categories that must be provided on the OCA report?	4	2	1	2.3
e. The total number of juvenile cases filed yearly in this court?	4	3	4	3.7

2. Degree of interest in the items captured in the monthly OCA report. (1=None, 2=Little, 3=Some, 4=Moderate, 5=Not Familiar)	1	2	3	Mean
	4	4	3	3.7

3. How important is it to you: (1=Very Unimportant, 2=Somewhat Unimportant, 3=Neither, 4=Somewhat Important, 5=Very Important)	1	2	3	Mean
a. that Bryan Municipal Court establishes case processing standards	5	5	4	4.7
b. for Court employees to handle juvenile cases within 18 months or less from the date of filing to the day all associated fines/fees are paid?	5	5	5	5.0

4. Bryan Municipal Court should stay abreast of closing juvenile cases before the child reaches 18 years of age. (1=Strongly Disagree, 2=Disagree, 3=Neither, 4=Agree, 5=Strongly Agree)	1	2	3	Mean
	4	4	4	4.0

5. How satisfied are you with: (1=Very Dissatisfied, 2=Dissatisfied, 3=Neither, 4=Satisfied, 5=Very Satisfied)	1	2	3	Mean
a. the rate of response by a parent to a parent summons?	4	2	3	3.0
b. the juvenile defendant getting to court on a timely basis?	4	2	3	3.0

6. How frequently do you think the Judge should issue a writ to take into custody a child and a parent to expedite juvenile court proceedings? (1=Never, 2= Rarely, 3=Occasionally, 4=Frequently, 5=Very Frequently)	1	2	3	Mean
	2	3	2	2.3

Bryan Municipal Court Staff - 15 Responses

1. To what extent are you familiar with: (1= None, 2=Little, 3=Some, 4=Moderate, 5=Large)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Mean
a. The American Bar Association case processing standards?	2	1	1	1	2	1	1	3	3	1	1	1	2	1	1	1.5
b. Texas juvenile case processing standards?	2	2	1	3	4	3	2	3	4	2	3	2	4	1	1	2.5
c. Texas Office of Court Administration (OCA) accounting for case activity?	3	1	1	1	2	2	2	1	3	3	4	1	3	1	1	1.9
d. The number of juvenile case items or categories that must be provided on the OCA report?	1	1	1	1	2	1	1	1	2	1	4	1	2	1	1	1.4
e. The total number of juvenile cases filed yearly in this court?	2	1	1	4	3	2	2	2	4	1	4	1	2	5	1	2.3

2. Degree of interest in the items captured in the monthly OCA report. (1=None, 2=Little, 3=Some, 4=Moderate, 5=Not Familiar)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Mean
	3	6	6	6	3	1	3	1	3	5	5	3	4	1	6	3.7

3. How important is it to you: (1=Very Unimportant, 2=Somewhat Unimportant, 3=Neither, 4=Somewhat Important, 5=Very Important)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Mean
a. that Bryan Municipal Court establishes case processing standards	5	5	5	5	5	5	1	4	5	5	5	5	5	1	5	4.4
b. for Court employees to handle juvenile cases within 18 months or less from the date of filing to the day all associated fines/fees are paid?	4	5	5	5	5	5	1	3	5	5	5	5	5	5	5	4.5

4. Bryan Municipal Court should stay abreast of closing juvenile cases before the child reaches 18 years of age. (1=Strongly Disagree, 2=Disagree, 3=Neither, 4=Agree, 5=Strongly Agree)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Mean
	5	5	5	5	5	4	5	4	5	4	5	5	5	1	4	4.5

5. How satisfied are you with: (1=Very Dissatisfied, 2=Dissatisfied, 3=Neither, 4=Satisfied, 5=Very Satisfied)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Mean
a. the rate of response by a parent to a parent summons?	3	3	4	3	4	2	2	2	3	4	2	1	3	3	3	2.8
b. the juvenile defendant getting to court on a timely basis?	2	4	3	3	4	2	2	3	4	4	2	1	3	3	2	2.8

6. How frequently do you think the Judge should issue a writ to take into custody a child and a parent to expedite juvenile court proceedings?

(1=Never, 2= Rarely, 3=Occasionally, 4=Frequently, 5=Very Frequently)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Mean
	2	4	2	3	1	4	3	3	1	3	5	3	3	5	4	3.1

Local Attorneys - 9 Responses

1. To what extent are you familiar with: (1= None, 2=Little, 3=Some, 4=Moderate, 5=Large)	1	2	3	4	5	6	7	8	9	Mean
a. The American Bar Association case processing standards?	3	2	2	3	1	1	1	1	2	1.8
b. Texas juvenile case processing standards?	4	2	2	3	5	4	4	1	4	3.2
c. Texas Office of Court Administration (OCA) accounting for case activity?	2	1	1	3	1	3	1	3	1	1.8
d. The number of juvenile case items or categories that must be provided on the OCA report?	1	2	1	2	1	1	1	1	1	1.2
e. The total number of juvenile cases filed yearly in this court?	1	2	1	2	2	3	1	1	1	1.6

2. Degree of interest in the items captured in the monthly OCA report. (1=None, 2=Little, 3=Some, 4=Moderate, 5=Not Familiar)	1	2	3	4	5	6	7	8	9	Mean
	4	4	2	2	6	4	3	3	3	3.4

3. How important is it to you: (1=Very Unimportant, 2=Somewhat Unimportant, 3=Neither, 4=Somewhat Important, 5=Very Important)	1	2	3	4	5	6	7	8	9	Mean
a. that Bryan Municipal Court establishes case processing standards	4	4	3	5	3	4	4	3	5	3.9
b. for Court employees to handle juvenile cases within 18 months or less from the date of filing to the day all associated fines/fees are paid?	4	5	3	5	4	4	5	1	5	4.0

4. Bryan Municipal Court should stay abreast of closing juvenile cases before the child reaches 18 years of age. (1=Strongly Disagree, 2=Disagree, 3=Neither, 4=Agree, 5=Strongly Agree)	1	2	3	4	5	6	7	8	9	Mean
	4	5	4	5	4	5	1	4	5	4.1

5. How satisfied are you with: (1=Very Dissatisfied, 2=Dissatisfied, 3=Neither, 4=Satisfied, 5=Very Satisfied)	1	2	3	4	5	6	7	8	9	Mean
a. the rate of response by a parent to a parent summons?	3	3	3	2	3	2	3	3		2.8

b. the juvenile defendant getting to court on a timely basis?

3	3	3	3	3	3	3	3	
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3.0

6. How frequently do you think the Judge should issue a writ to take into custody a child and a parent to expedite juvenile court proceedings?

(1=Never, 2= Rarely, 3=Occasionally, 4=Frequently, 5=Very Frequently)

1	2	3	4	5	6	7	8	9
3	2	3	3	2	3	2	4	

Mean

2.8

6. Have you ever represented a juvenile defendant on Bryan Municipal Court offenses?

a.

(Y=Yes, N=No)

1	2	3	4	5	6	7	8	9
Y	Y	N	N	Y	Y	Y	N	N

Appendix H: Questionnaire Responses – Graphs

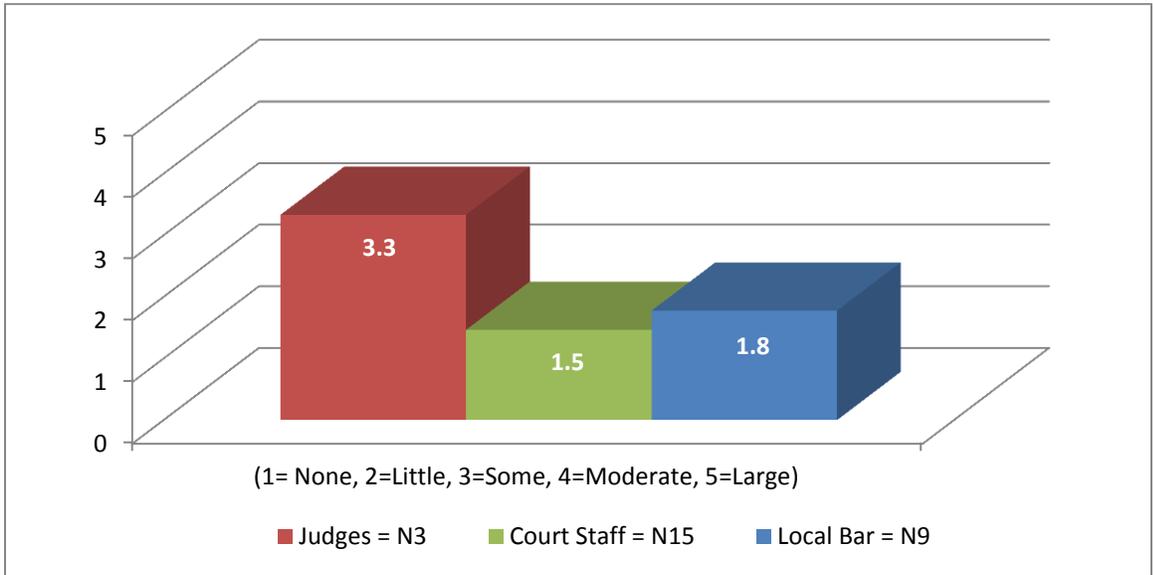


Figure A. Familiarity with the American Bar Association case processing standards.

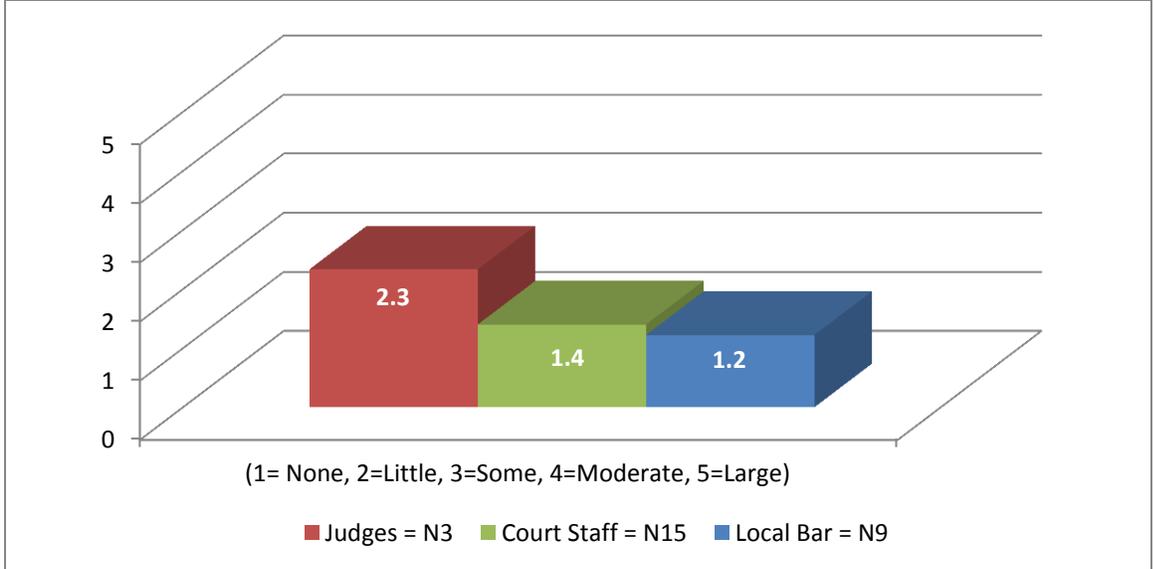


Figure B. Familiarity with the number of juvenile case items or categories that must be provided on the OCA report.

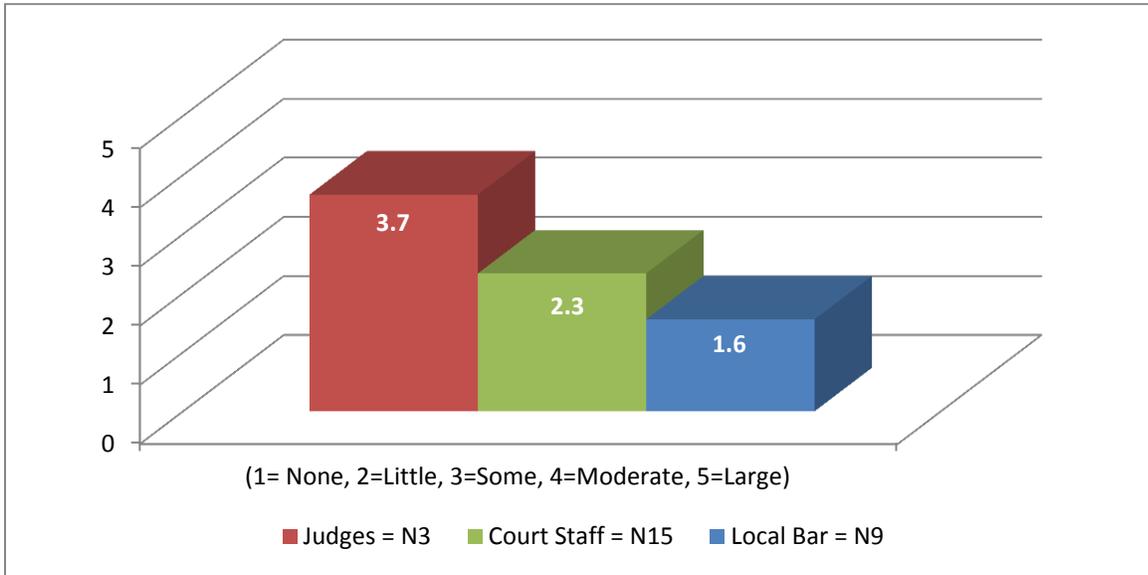


Figure C. Familiarity with the total number of juvenile cases filed yearly in Bryan Municipal Court.

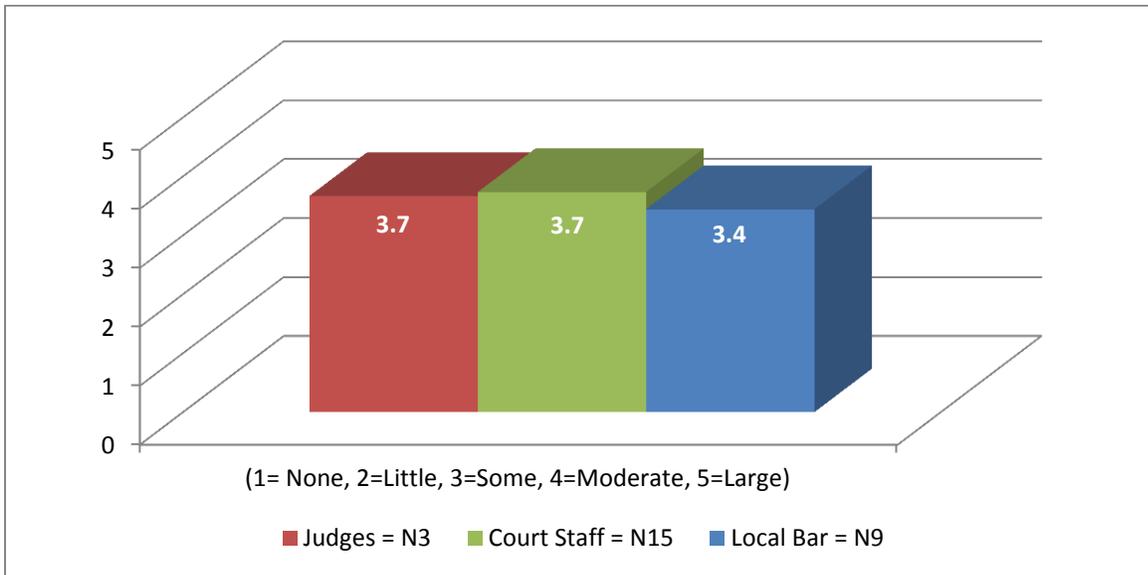


Figure D. Degree of interest in the items captured in the OCA report.

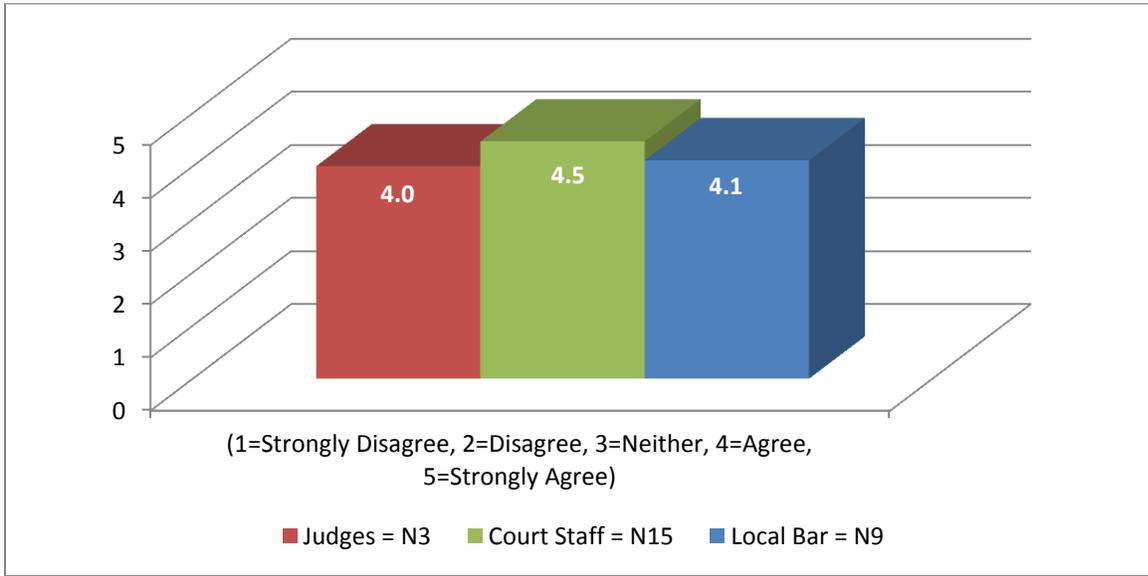


Figure E. Bryan Municipal Court should stay abreast of closing juvenile cases before the child reaches 18 years of age.

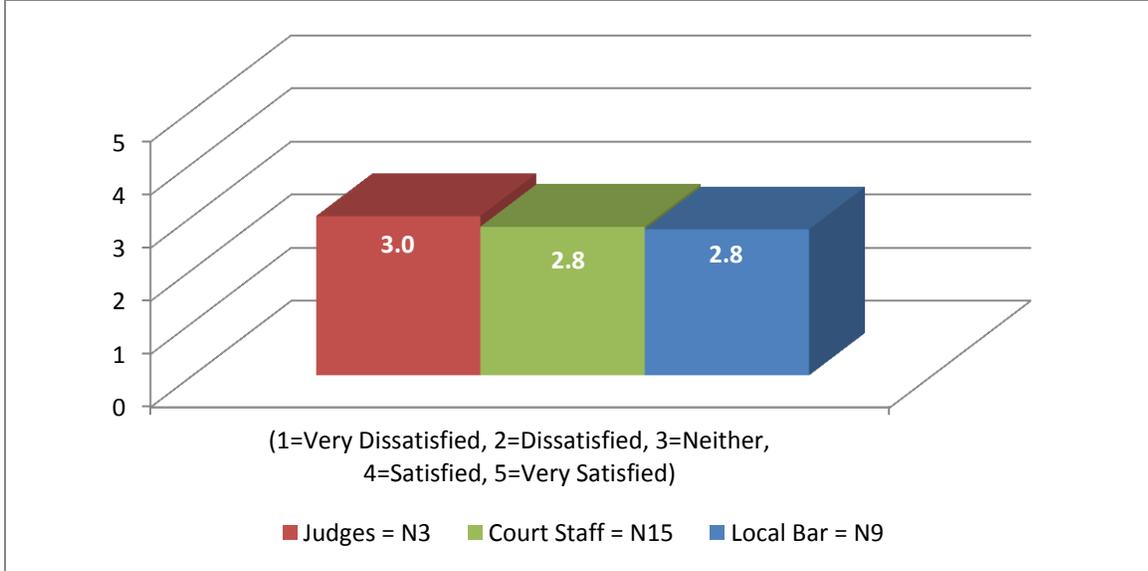


Figure F. Rate of satisfaction of response by a parent to a parental summons.

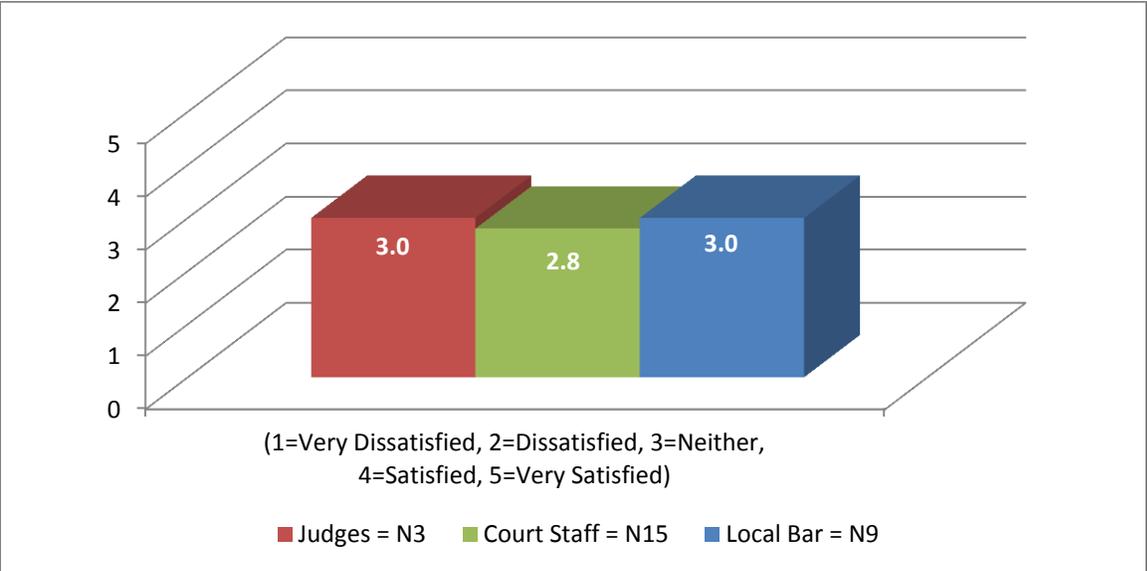
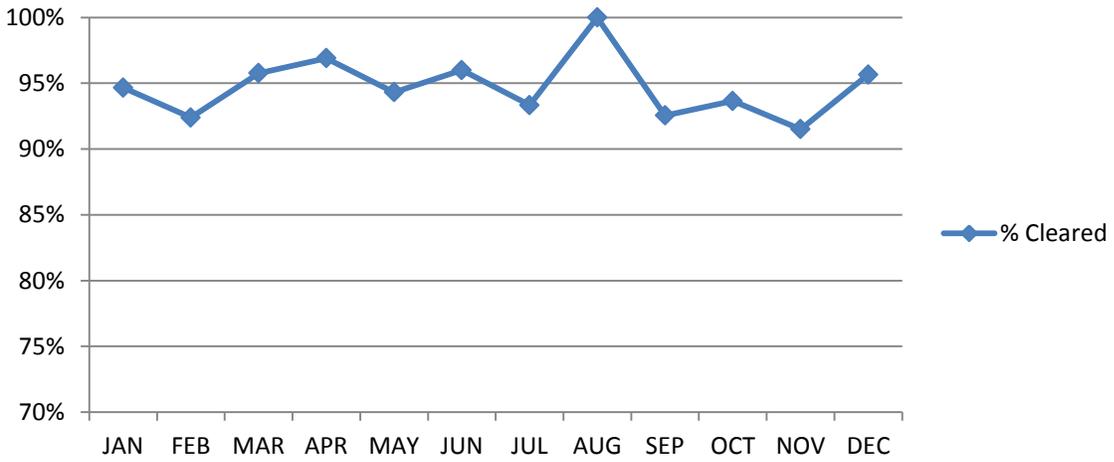


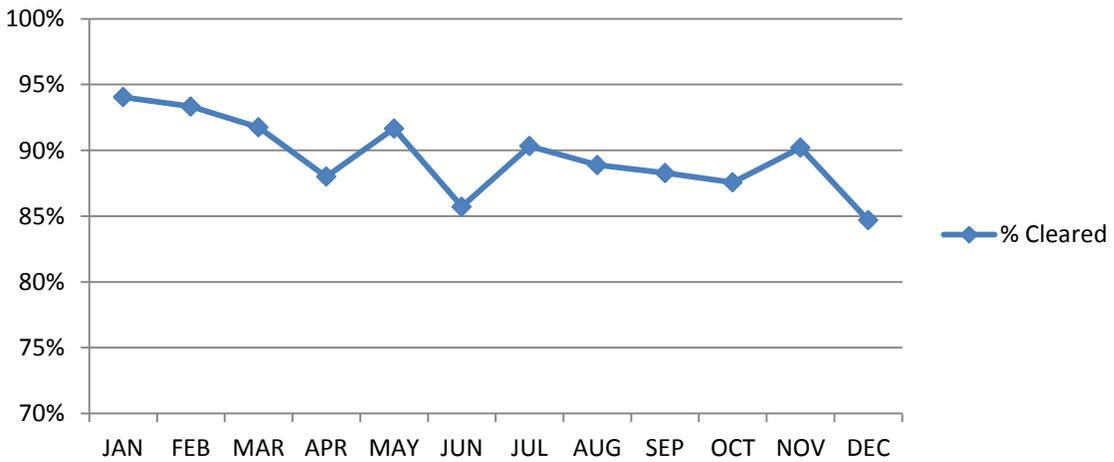
Figure G. Rate of satisfaction of defendant getting to court on a timely basis

Appendix I: Measure 2 – 2007-2011 Clearance Rates

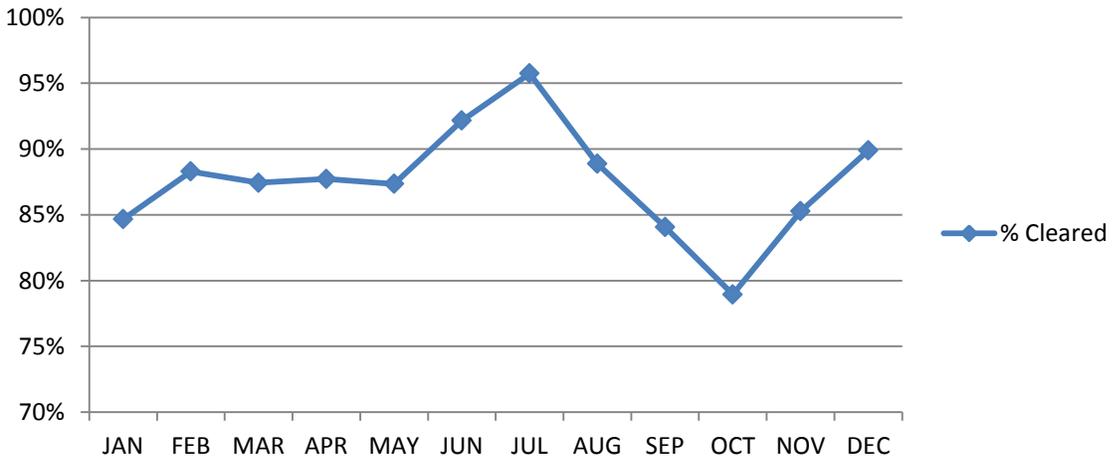
Percentage of Cases Cleared in 2007



Percentage of Cases Cleared in 2008



Percentage of Cases Cleared in 2009



Percentage of Cases Cleared in 2010

