

Performance Measures Guidance for Probate, Guardianship & Mental Health

[Section 72.083\(b\)](#) of the Texas Government Code requires OCA to annually collect and publish a report including performance measures for each district court, statutory county court, statutory probate court, and county court.

The report must include:

- (1) the court's clearance rate;
- (2) the average time a case is before the court from filing to disposition; and
- (3) the age of the court's active pending caseload.

For this and all reports moving forward, the year is defined as **September 1 through August 31**.

Reports must be submitted on an annual basis by **November 1** using the format of the provided Excel [template](#).

The data elements required to be reported for the Performance Measure Report have not historically been collected or reported by the courts handling Probate, Guardianship and Mental Health cases due to the unique nature of these cases. A legislative solution was identified and included in SB 2878 (89th Regular Legislative Session). Although the bill was vetoed, we believe that this portion of the bill will remain intact and passed in the 2nd Called Special Session of the 89th Legislature starting August 15, 2025.

The proposed legislation will amend [Section 72.083](#) of the Government Code to add Subsection (c) as follows:

(c) Notwithstanding Subsection (b), if the director determines a performance measure listed in Subsection (b) does not accurately reflect a court's performance in probate and mental health matters, the director may develop an alternative performance measure to assess the efficient and timely adjudication of those matters and include the alternative performance measure in the annual report required under Subsection (b).

However, since there will not be sufficient time to develop alternative measures before the next annual report is due, reporting of Probate, Guardianship and Mental health cases will only include the data currently collected and reported on the Judicial Council Monthly Report.

Probate, Guardianship & Mental Health Reporting Instructions FY 2025

Constitutional, Statutory County, and Statutory Probate Courts

For each court in the county, the clerk shall report **by case category** relevant to the court:

- The number of cases filed during the year** as reported on the Judicial Council Monthly Court Activity Reports in addition to any cases transferred in from another county or from another court in the county. *

Probate and guardianship: New cases filed, ancillary cases, all other matters, and transfers from another county or from another court in the county as reported on Lines 1 and 2a & 2b of the Judicial Council Monthly Report Form.*

PROBATE AND GUARDIANSHIP SECTION

IF NO COURT ACTIVITY FOR THE MONTH, CHECK THIS BOX: ☐

CASES ON DOCKET	DECEDENTS' ESTATES			GUARDIANSHIPS		ALL OTHER	TOTAL
	INDEPENDENT ADMINISTRATION	DEPENDENT ADMINISTRATION	ALL OTHER ESTATE PROCEEDINGS	MINOR	ADULT		
1. NEW CASES, APPLICATIONS OR WILL/GUARDIANSHIP CONTESTS FILED							
2. OTHER CASES ADDED							
a. Ancillary Cases							
b. All Other Matters							
3. INVENTORIES FILED							
4. GUARDIANSHIP OF PERSON REPORTS FILED							
5. ANNUAL OR FINAL ACCOUNTS FILED							
ADDITIONAL INFORMATION							TOTAL
						7. CHAPT. 1102 INVESTIGATIONS	
						8. CHAPT. 48 REMOVALS	
6. GUARDIANSHIPS	TOTAL			TOTAL		9. HEARINGS HELD	
a. Dismissed or Denied		c. Closed				10. CASES IN WHICH PLAINTIFF/ PETITIONER REPRESENTED SELF	
b. Granted		d. Active					

Mental health commitments: Applications filed for involuntary commitment, applications filed for order to authorize psychoactive medications as reported on Lines 1 & 7 of the Judicial Council Monthly Report, and transfers from another county or from another court in the county. *

MENTAL HEALTH SECTION

IF NO COURT ACTIVITY FOR THE MONTH, PLEASE CHECK THIS BOX: ☐



		TEMPORARY MENTAL HEALTH SERVICES	EXTENDED MENTAL HEALTH SERVICES	MODIFICATION:			ORDER TO AUTHORIZE PSYCHOACTIVE MEDICATIONS
				INPATIENT TO OUTPATIENT	OUTPATIENT TO INPATIENT		
Intake	1. NEW APPLICATIONS FILED					7. NEW APPLICATIONS FILED	
	2. ORDERS FOR PROTECTIVE CUSTODY SIGNED						
Hearings	3. PROBABLE CAUSE HEARINGS HELD						
	4. RELEASE/DISMISSAL PRIOR TO FINAL HEARING					8. DISMISSAL PRIOR TO HEARING	
	5. FINAL COMMITMENT HEARINGS HELD					9. HEARINGS HELD	
Other Information	6. DISPOSITION AT FINAL HEARING					10. DISPOSITION AT HEARING	
	a. DENIED (RELEASE)					a. DENIED	
	b. GRANTED (COMMIT)					b. GRANTED	
	INPATIENT						
	OUTPATIENT						

* Cases transferred between same level courts in the same county should be tracked in the Internal Transfers In and Out columns to provide accuracy of cases pending, filed and disposed in the proper court if needed. For additional guidance regarding counting transferred cases see **Clerk Reporting Instructions + Guidance on Transfers** found at <https://www.txcourts.gov/reporting-to-oca/district-county-court-level-reporting/performance-measures-for-district-county-courts/reporting-instructions-guidance/>.