



*THE MISSION OF OCA IS...*  
TO PROVIDE RESOURCES AND INFORMATION FOR THE EFFICIENT  
ADMINISTRATION OF THE JUDICIAL BRANCH OF TEXAS

## Judicial Council Monthly Court Activity Reports Submitted by District Clerks

Presented by:  
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## Judicial Information Section

- ▶ Collects, analyzes and publishes court activity statistics, directory and other information received from more than 2,700 courts
- ▶ Provides assistance to court staff, case management vendors and local information technology staff on report guidelines and submissions



# Today's Topics

- ▶ Background Information on the Reports
- ▶ Reporting
  - ▶ Reporting Requirements
  - ▶ Important Case Category Definitions



# Background Information



## Who Decides What Data Will Be Collected

- ▶ **Texas Judicial Council** – created 1929
  - ▶ policymaking body for the judicial branch, consists of 22 judicial, legislative, and citizen members
  - ▶ one of primary duties is to gather judicial statistics from judges and clerks (Government Code Section 71.035)
  - ▶ is the only entity collecting comprehensive statistics on operation of Texas courts



## Texas Judicial Council

- ▶ **Sec. 71.035, Government Code**
  - ▶ Mandates collection of judicial statistics by Judicial Council from judges and other court officials
  - ▶ Authorizes Council to require statistical reporting from judges, clerks, etc. as a duty of office
- ▶ **Ch. 171, Administrative Code:** Lists information to be reported from each court level



## Who Decides What Data Will Be Collected

- ▶ Texas Legislature
  - ▶ **Sec. 71.0353, Government Code** (human trafficking)
  - ▶ **Sec. 574.104, Health & Safety Code** (involuntary mental health commitments)
  - ▶ **Art. 2.211, Code of Criminal Procedure** (motion for hate crime finding)



## Scope of Information

- ▶ Primarily measures inputs, outputs, pending caseloads
- ▶ Used to
  - ▶ assess court workload, performance and needs
  - ▶ identify and analyze trends
  - ▶ Identify emerging problems, effects of solutions



# Reporting Requirements



[www.txcourts.gov](http://www.txcourts.gov)

Judicial Data ▾ eFile Te

Judicial Directory

Open Records Policy

Reporting to OCA

Statistics & Other Data

Vexatious Litigants

#### REPORTING TO OCA HOME

- Appointments & Fees in Civil Cases
- Change in Municipal Judge or Clerk
- Collection Improvement Program
- Court Closures & Reopenings
- Court Security Incidents
- eFiling Transaction Fee Certification
- Guardianship Reporting Requirements
- Judicial Council Trial Court Activity Reports
- Jury Charges & Sentences in Capital Cases
- Other Resources
- Vexatious Litigants

#### JUDICIAL COUNCIL REPORTS HOME



- District & County
- Justice & Municipal
- Old Reports







**DISTRICT & COUNTY COURT REPORTS**



**Enter or Run Reports**  
Enter or Run Reports





**Forms and Instructions**  
Civil Case Information Sheet


**District Court Report:**  
Form  | Instructions 

**Statutory County Courts Report (County Courts at Law/Statutory Probate Courts):**  
Form  | Instructions 

**Constitutional County Court Report:**  
Form  | Instructions 

**Resources**  
DPS Offense Codes Categorized by OCA Case Category  (Version 14)  
Frequently Asked Questions   
Webinars/Online Training

**XML Specifications and Tester**  
District Court XML Specifications   
Statutory County Court XML Specifications   
Constitutional County Court XML Specifications   
XML Tester: Validate XML file format  
Frequently Asked Questions 




# Report Instructions

- ▶ Refer to report instructions!
- ▶ Updates within the instructions are highlighted in **yellow**

*NOTES: Cases involving preparatory offenses (criminal attempt, criminal conspiracy, criminal solicitation, and criminal solicitation of a minor) should be counted in the case category of the underlying offense (e.g., murder, assault, etc.).*

*For a list of DPS offense codes classified by Judicial Council case categories, please see the spreadsheet posted at <http://www.txcourts.gov/oca/required.asp>.*

This section of the monthly report is designed to collect information concerning the criminal case activity in the district courts. The **CRIMINAL SECTION** is divided into five subsections: Cases on Docket, Dispositions, Supplemental Information, Additional Court Activity, and Request for Finding of a Hate Crime.



## Reporting Requirements

- ▶ Report must be submitted online, unless you have a waiver from OCA
- ▶ **Ch. 171, Texas Administrative Code:** Report due no later than the 20<sup>th</sup> of each month
- ▶ Grant funds from Texas Indigent Defense Commission will likely be withheld for non-compliance



## Reporting Requirements

- ▶ **District Court Monthly Activity Report or**
  - ▶ **County Court Monthly Activity Report**
- AND**
- ▶ **Statutory County Court Monthly Activity Report** (if responsible for maintaining any records for county courts at law)



## Reporting Requirements

- ▶ Court gets credit for activity, not the judge
- ▶ Court disposing of case gets credit
- ▶ Do not report transfers between the same type of court (district court to district court) within the county



## Reporting Requirements

- ▶ A report must be submitted for each month, **even if court had no activity**
- ▶ All sections where court has jurisdiction must be submitted every month, even if court had no activity
- ▶ If court does not hear certain types of cases, may leave section blank (e.g., juvenile section)





## Reporting Requirements

- ▶ Keep copies of any reports run from your case management system for a minimum of 2 years



## Report Content



## Pending Cases

- ▶ Pending means that a final judgment has not been entered in the case
- ▶ Most sections carry forward pending case balances from the end of one month to the beginning of the next month



## Pending Cases

- ▶ Pending cases are broken out between
  - ▶ Active Cases
  - ▶ Inactive Cases

1. CASES PENDING FIRST OF MONTH (Adjusted)	29	151	649
a. Active Cases	26	89	381
b. Inactive Cases	3	62	268



## Pending Cases

- ▶ **Active:** cases awaiting entry of a judgment that the court is able to move to disposition (entry of a final judgment)
- ▶ **Inactive:** cases awaiting a final judgment that the court is unable to move to disposition



## Inactive Pending Cases

Examples:

- ▶ Defendant absconded and arrest warrant or directive to apprehend has been issued;
- ▶ Defendant committed to mental health facility;
- ▶ Defendant is being held elsewhere on state or federal charges;



## Inactive Pending Cases

- ▶ Civil cases ordered to arbitration (in which there are no further proceedings in the court until the case is returned from arbitration);
- ▶ Notice or suggestion of bankruptcy or suggestion of death filed; and
- ▶ Civil and family cases delayed due to the Soldiers' & Sailors' Civil Relief Act

See instructions for additional examples



## Cases Reactivated

- ▶ 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 a judgment may be entered in the case



## Cases Reactivated

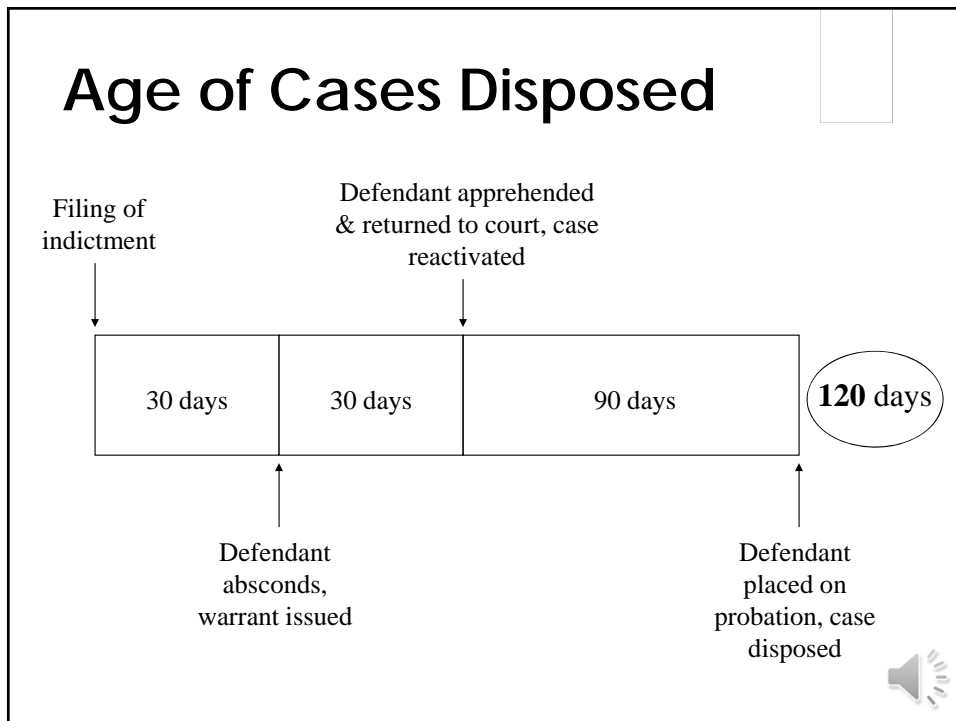
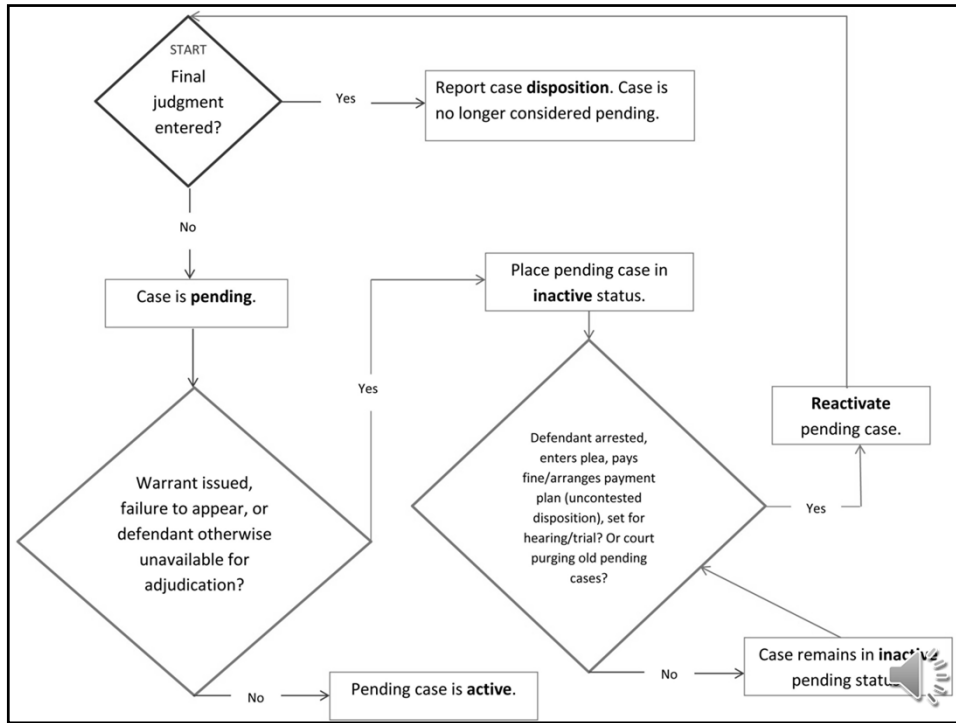
- ▶ **MUST** count an **inactive** pending case as **Reactivated** before it can be reported as disposed
- ▶ Are reported under the same case category reported when case was originally filed



## Cases Reactivated

- ▶ Report as reactivated on the date the warrant is executed or the date of the defendant's first hearing
- ▶ Print out and refer to the flowchart on the next page





## Pending Cases

- ▶ Cases pending end of month should equal cases pending beginning of following month
- ▶ May not match for various reasons: cases were not processed/updated in case management system in timely manner; corrections were made to cases that had been reported in previous month




## Docket Adjustments

- ▶ If cases pending from one month to the next are not equal, docket adjustment must be entered to account for the **difference**
- ▶ Docket adjustments are meant to account for **minor fluctuations** in the pending inventory from one month to the next



## Docket Adjustments

- ▶ Docket adjustment line is only in online report form, not on paper version

CASES ON DOCKET	Capital Murder	Murder	Other Homicides	Agg. Assault or Attempted Murder	Sexual Assault of an Adult	Indecency or Sexual Assault of a Child	Family Violence Assault
CASES PENDING FIRST OF MONTH <i>(Should equal total criminal cases pending end of previous month.)</i>	0	0	2	19	9	10	0
DOCKET ADJUSTMENTS	0	0	0	0	0	0	0
1. CASES PENDING FIRST OF MONTH (Adjusted)	0	0	2	19	9	10	

## Docket Adjustments

- ▶ Docket adjustments to increase balances usually caused by new cases not entered prior to a report being run
- ▶ Docket adjustments to decrease balances usually caused by dispositions not entered prior to a report being run
- ▶ Docket adjustments can usually be prevented. Set time frame when all cases must be updated in the case management software system so accurate report can be run.





## Docket Adjustments

- ▶ **Large** docket adjustments must be accounted for in the Notes Section at bottom of report
- ▶ Most typical causes:
  - ▶ Audit/validation of case inventory
  - ▶ Conversion to new case management system
  - ▶ Dispositions entered on old cases that had judgments but had not been updated in the case management system
  - ▶ Purging cases in which statute of limitations has expired



## Docket Adjustments

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



## Docket Adjustments

- ▶ **Do not** enter the numbers that you want the total pending, active pending, or inactive pending cases to be
- ▶ Doing this could result in inadvertently doubling court's reported pending caseload



## Docket Adjustments - Incorrect

Damage	Real Property				Contract		Civil Cases Relating to Criminal Matters
	Product Liability - Asbestos/Silica	Other Product Liability	Other Injury or Damage	Eminent Domain	Other Real Property	Consumer/ Commercial/ Debt	
	0	44	0	4	66	14	46
	0	46	0	2	61	0	0
	0	90	0	6	127	14	46



## Docket Adjustments - Correct

Other Product	Real Property			Contract		Civil Cases Relating to Criminal Matters
	Other Injury or Damage	Eminent Domain	Other Real Property	Consumer/ Commercial/ Debt	Other Contract	
	44	0	4	66	14	46
	2	0	-2	-5	0	0
	46	0	2	61	14	46



## Docket Adjustments

- ▶ If cases are entered in Docket Adjustment line, the Active Pending Cases line will automatically change
- ▶ Adjust the numbers in the Inactive Pending Cases line if necessary to match the report from your case management system



## Criminal/Juvenile Sections

- ▶ If more than one charge in the charging document, classify under the most serious offense
- ▶ If charges are equal, pick one (e.g., first listed in charging document)
- ▶ You should no longer be “lumping” all Delinquent Conduct Cases in the category “All Other Offenses”



## Changes in Case Category After Filing Criminal/Juvenile Case: Reduction in Charge

Case stays in **original case category** (reflecting most serious charge) when:

- ▶ Prosecutor reduces charges
- ▶ Defendant convicted of lesser/different offense

Note: Disposition still reported under original offense (must keep 1 to 1 relationship between filings and dispositions)



## Changes in Case Category After Filing of Criminal/Juvenile Case: More Serious Charge

- ▶ Case category should be changed to more serious charge
- ▶ If monthly report already submitted, run another report from your case management system and correct the report in reporting database

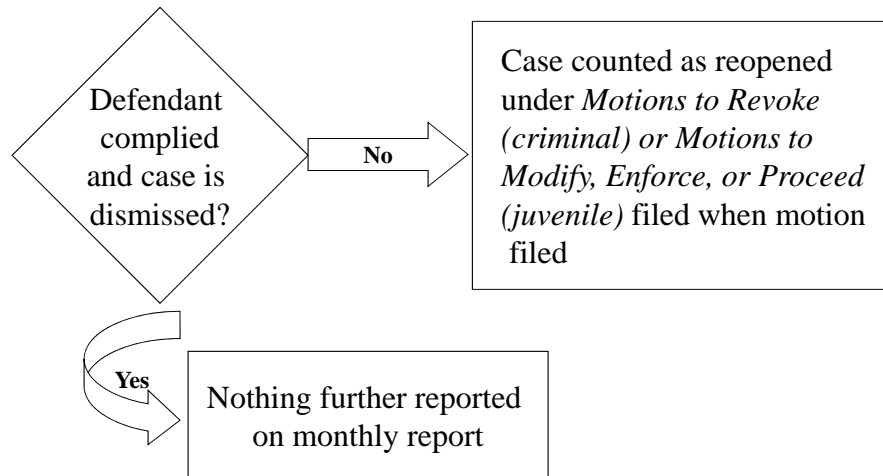


## Deferred Adjudication, Etc.

- ▶ For statistical purposes, these cases are considered closed (case has been adjudicated)
- ▶ Report under Deferred Adjudication/ Deferred Prosecution at time defendant placed on the program



## Deferred Adjudication, Etc.



## Transfers from Another County for Probation

- ▶ Probation considered disposition (reported by transferring county)
- ▶ Case **not** counted on report unless motion to revoke/modify/enforce/proceed, etc. is filed to reopen case

## Sentencing Information

- ▶ Only cases reported as **Convictions** should be reported in the Sentencing Information section

Convictions:

*Guilty Plea or Nolo Contendere*

*By the Court*

*By the Jury*



**Sentencing Information:**

Prison

State Jail

Local Jail

Probation/Community Supervision

Shock Probation

Fine Only

Other

~~Placed on Deferred Adjudication~~



## Sentencing Information

- ▶ Each case should be reported in the same case category as the original charge
- ▶ Report only 1 sentence per case disposed by conviction
- ▶ Report the sentence that the defendant was given, not what the defendant actually served



## Juvenile Section: Dispositions

- ▶ Only cases reported as Adjudicated with **Finding of Delinquent Conduct/ C.I.N.S** reported in Disposition section

Findings of Delinquent Conduct or CINS:

*Plea of True  
By the Court  
By the Jury*



**Dispositions:**

**Cases with Findings of DC/CINS**

Probation Granted

*Determinate Sentence Probation*

*All Other Probation*

Committed to Texas Juvenile Justice Dept.

*Determinate Sentence*

*Indeterminate Sentence*

Final Judgment Without Any Disposition

**Cases with Granted Motion to Modify Disp.**

Probation Revoked, Child sent to TJJD

All Other Dispositions



## Hate Crimes Section

- ▶ Must submit a report every month, even when no activity
- ▶ Report motion for affirmative hate crime finding (that an offense was committed because of bias or prejudice)





OCA Main Menu> Monthly Report Search> Monthly Report

Criminal    **Hate Crimes**    Civil    Family    Juvenile

320010000, County, District Clerk Office: September 2010

REPORT OF A REQUEST FOR A HATE CRIME FINDING  
Pursuant to Texas Code of Criminal Procedure, Article 2.211

No Activity

Court Name	Case Number	Motion Request	Affirmative Finding	Date Judgment Entered
		N/A	N/A	
		N/A	N/A	
		N/A	N/A	
		N/A	N/A	
		N/A	N/A	
		N/A	N/A	

Notes:

## Probate Section

- ▶ If report new cases filed in independent or dependent administration or guardianship categories, should also be reporting:

Inventories Filed

Guardianship of Person Reports Filed

Annual or Final Accounts Filed

## Probate Section

- ▶ Guardianships
  - ▶ Dismissed/denied, granted, and closed with final order/judgment reported for **month only**
  - ▶ Active includes **all open cases in which guardianship has been established**



## Cleaning Up Old Guardianship Cases

- ▶ Judge signs order in case removing case from active docket for neglect/failure to file final account/report
  - ▶ Order must cite either Estates Code Sec. 1204.201(b) or (c)
- ▶ If situation above does not apply to case, judge appoints successor guardian to file final account and close case



# Questions

**Judicial Information Section**  
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