

Judicial Data Collection

Written Testimony to the House Judiciary and Civil Jurisprudence Committee
November 30, 2020

Interim Charge 2: Study opportunities to modernize and improve local and statewide data collection throughout the criminal justice system in Texas, including improving the collection and reporting of court records, to promote transparency and ensure uniform data collection processes.

Background on Judicial Data Collection

The Texas Legislature established the Texas Judicial Council in 1929 to continuously study and report on the organization and best practices of the Texas Judicial Branch. The Council is the policy-making body for the judiciary, and one of its main duties is gathering judicial statistics and other pertinent information from judges and court officials. The Executive Director of the Council is David Slayton, who also serves as Administrative Director for the Office of Court Administration.

The Council began collecting aggregate court statistics in 1929, first with the appellate and district courts. Later, in 1973, data collection expanded to the county, justice, and municipal courts. Over the years, data collection evolved as resources and technology improved the capability of the Council to collect more and different information. Judicial data collection requirements also come from the Legislature. Over the last two decades, the Legislature has established more than 20 requirements mandating collection of specific information on case activity. In recent years, The Council has recommended moving away from collecting aggregate data to collect case-level data.

Aggregate Case Data

Aggregate statistics often cannot provide the Council or other decisionmakers with sufficient detail to analyze and monitor important policy issues and study the administration of justice. More robust and timely information is needed, and current technological capabilities now permit the collection of more and better data.

In some situations, needed data are either inadequate or nonexistent. Consider the following recent examples:

- The Council's Criminal Justice Committee was charged with studying the impact of opioid drug use on the Texas judiciary, but no court data are available to assess the volume of or outcomes in cases involving an opioid or any other specific drug.
- The Council's Civil Justice Committee was charged with studying the landscape of civil justice in Texas and recommending reforms to improve access to justice in the courts, but only



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limited data were available on self-represented litigants in the district and county courts, and no data were available for other courts.

- The Council’s Juvenile Justice Committee was charged with studying the adjudication of fine-only offense cases involving juveniles, yet only high-level, aggregate data on filings are available.
- Based on Council recommendations, the Legislature passed major school ticketing and truancy reform bills in recent years, but other than a reduction in filings there are no data to illustrate the outcomes in these cases.
- Recent mass shootings have brought renewed scrutiny to the completeness of reporting by responsible entities to the National Instant Background Check System (NICS) to ensure that disqualified individuals are not allowed to purchase firearms. Without case level court activity data, the Texas judiciary cannot determine whether all eligible cases are being reported to NICS.
- Hurricane Harvey caused massive, widespread damage throughout Texas in August 2017. Detailed data are unavailable to fully assess the extent of the disruption to the judicial system.

Case-Level Data

The Council recommended moving to collecting case-level data in June of 2018. In response, the OCA has instituted a Statewide Case Level Data Consolidation Project. The project will create a centralized judicial data warehouse that will allow both judicial staff and the public to access statewide case level information for statistical reporting and analysis.

To assist with this effort, the 86th Legislature appropriated \$29.6 million dollars in funding to OCA for a Statewide Uniform Case Management System. The is required to:

1. Collect county judicial data, including mental health adjudications and domestic violence protective orders;
2. Provide timely and accurate reporting of judicial data to the office and the national criminal history record information and mental health record repositories;
3. Easily integrate with existing state and countywide systems to allow frequent sharing of information between systems; and
4. Include adequate reporting standards to ensure the accurate reporting of information through the system.

APITAL MURDER | MURDER | OTHER
OMICIDES | ASSAULT OR ATTEMPTED
MURDER | SEXUAL ASSAULT OF AN
ADULT | INDECENCY OR SEXUAL ASSAULT
OF A CHILD | FAMILY VIOLENCE ASSAULT
AGGRAVATED ROBBERY OR ROBBERY
BURGLARY | THEFT | AUTOMOBILE
THEFT | DRUG SALE OR MANUFACTURE
DRUG POSSESSION | FELONY D.W.I. |
OTHER FELONIES | ALL MISDEMEANORS
INJURY OR DAMAGE | OTHER INJURY OR
DAMAGE | REAL PROPERTY—EMINENT
DOMAIN | OTHER REAL PROPERTY |
CONTRACT—CONSUMER/COMMERCIAL/
EBT | OTHER CONTRACT | CIVIL CASES
RELATING TO CRIMINAL MATTERS
OTHER CIVIL CASES | DIVORCE |
PARENT-CHILD—NO DIVORCE | CHILD
PROTECTIVE SERVICES | TERMINATION
OF PARENTAL RIGHTS | ADOPTION |
PROTECTIVE ORDERS | TITLE IV-D | D.W.I.
THEFT | DRUG POSSESSION | FAMILY
VIOLENCE ASSAULT | TRAFFIC | D.W.L.S./
D.W.L. | INDEPENDENT ADMINISTRATION
DEPENDENT ADMINISTRATION |
ALL OTHER ESTATE PROCEEDINGS
GUARDIANSHIP | MENTAL HEALTH
SERVICES | TRAFFIC MISDEMEANORS
NON-TRAFFIC MISDEMEANORS |
MALL CLAIMS SUITS | FORCIBLE
ENTRY AND DETAINER (EVICTIONS



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The Request for Offer (RFO) for the Uniform Case Management System was released in November 2020. Implementation of the system is projected to be complete in the Summer of 2022.

For information on the Council's recommendations on Case Level Data please see the 2018 Data Committee Report on the Council's website <https://www.txcourts.gov/media/1441878/data-committee-report.pdf>



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