

# Trial Court Performance Measures

August 23, 2018

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Director



MICHIGAN'S JUDICIARY

# DRIVING CHANGE

TO IMPROVE SERVICE  
TO THE PUBLIC

[courts.mi.gov/drivingchange](https://courts.mi.gov/drivingchange)

# Key Events

- 1991 Supreme Court publishes time guidelines “goals”
- 1998 Courts encouraged to voluntarily adopt measures
- 2005 Statewide data collection begins
- 2009 Committee formed to “Michiganize” CourTools



# Trial Court Performance Measures Committee

## **Eight Judges**

Hon. Paul Sullivan, C17, Kent (Chair)  
Hon. Kirk Tabbey, D14A, Washtenaw (Vice Chair)  
Hon. Cynthia Arvant, D46, Southfield  
Hon. Michael Beale, C42, Midland  
Hon. Robert Butts, Cheboygan Probate  
Hon. Shana Lambourn, Ogemaw Probate  
Hon. Laura Mack, D29, Wayne City  
Hon. George Mertz, C46, Crawford, Kalkaska, Otsego

## **Five Court Administrators**

Zenell Brown, C03, Wayne  
Michael Dillon, D55, Ingham  
Kathryn Griffin, C45, St. Joseph  
Kevin Oeffner, C06, Oakland  
Cindy Rude, Calhoun Probate Register

Committee Formed in 2009



# Charges to the Committee

- Promoting the use of valid and reliable performance measures by the trial courts.
- Promoting dialogue regarding court performance and data sharing between court and its funding unit.
- Developing and implementing strategies to accomplish these objectives.





# Key Events

- 1991 Supreme Court publishes time guidelines “goals”
- 1998 Courts encouraged to voluntarily adopt measures
- 2005 Statewide data collection begins
- 2009 Committee formed to “Michiganize” CourTools
- 2012 Supreme Court order 2012-5 requires
  - a statewide implementation plan from SCAO
  - review of performance measures effectiveness
  - court compliance and reporting data
  - publication of measures on web





## Performance Measures Data

One Court of Justice  
The Learning Center  
Michigan Judicial Institute  
Reports and Publications  
Statistics

Caseload Reports  
Performance Measures Data  
Program Reports  
Reporting Materials  
Reporting Requirements  
Judiciary Dashboard

### Performance Measures Resources

Michigan Trial Court Public  
Satisfaction Survey Results (Statewide  
Results)

*Courts measuring performance to improve service to the public.*

### Performance Measures Data

Click on a county to view its performance measures.

Select A County ▼



Print



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## Performance Measures Data

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### Ingham County

#### Public Satisfaction

30th Circuit Court and Ingham County Probate Court

54A District Court

54B District Court

55th District Court

#### Timeliness

30th Circuit Court

54A District Court

54B District Court

55th District Court

#### Recidivism Related to Problem-Solving Courts

Statewide Recidivism Rates Report

#### Child Support Rates

County Graph

#### Clearance Rates

30th Circuit Court Detail

Ingham County Probate Court Detail

54A District Court - Lansing

54A District Court Website

54B District Court - East Lansing

55th District Court - Ingham County

#### Collections Standards Compliance

30th Circuit Court

54A District Court

54B District Court

55th District Court

#### STAFF CONTACT

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#### Questions or comments

about trial court performance measures?

Contact [tcpm@courts.mi.gov](mailto:tcpm@courts.mi.gov)

#### CLEARANCE RATE

The clearance rate is the number of outgoing cases as a percentage of the number of incoming cases. Clearance rates measure the extent to which the court is keeping up with its incoming caseload.

Select the Topic  
and Court



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## 2014-2017 District Court Clearance Rates

Clearance rates are not calculated for case groups with fewer than 10 incoming cases.

Incoming cases (In) are cases filed or reopened. Outgoing cases (Out) are cases disposed or made inactive.

The clearance rate equals the outgoing cases divided by the incoming cases.

Court	County	Case Type	2014			2015			2016			2017			2014-2017		
			In	Out	Rate	In	Out	Rate	In	Out	Rate	In	Out	Rate	In	Out	Rate
55th Dist.	Ingham	EX	18	17	94%	21	22	105%	34	34	100%	29	28	97%	102	101	99%
55th Dist.	Ingham	FD	69	68	99%	71	75	106%	42	40	95%	62	63	102%	244	246	101%
55th Dist.	Ingham	FT	42	43	102%	29	30	103%	28	28	100%	41	42	102%	140	143	102%
55th Dist.	Ingham	FY	932	943	101%	806	815	101%	845	843	100%	953	971	102%	3,536	3,572	101%
		<b>Felony Total</b>	1,061	1,071	101%	927	942	102%	949	945	100%	1,085	1,104	102%	4,022	4,062	101%
55th Dist.	Ingham	OD	157	145	92%	124	139	112%	147	131	89%	131	145	111%	559	560	100%
55th Dist.	Ingham	SD	453	457	101%	314	316	101%	309	316	102%	355	353	99%	1,431	1,442	101%
55th Dist.	Ingham	OM	723	772	107%	786	798	102%	765	754	99%	636	662	104%	2,910	2,986	103%
55th Dist.	Ingham	SM	1,790	1,835	103%	1,395	1,407	101%	1,537	1,558	101%	1,538	1,523	99%	6,260	6,323	101%
55th Dist.	Ingham	OT	887	858	97%	804	847	105%	798	797	100%	678	719	106%	3,167	3,221	102%
55th Dist.	Ingham	ST	1,895	1,887	100%	1,634	1,667	102%	1,837	1,883	103%	1,524	1,541	101%	6,890	6,978	101%
		<b>Misd. Total</b>	5,905	5,954	101%	5,057	5,174	102%	5,393	5,439	101%	4,862	4,943	102%	21,217	21,510	101%
55th Dist.	Ingham	OI	5,546	5,584	101%	5,597	5,667	101%	5,141	5,192	101%	3,804	3,852	101%	20,088	20,295	101%
55th Dist.	Ingham	SI	9,086	9,123	100%	10,416	10,492	101%	8,661	9,106	105%	6,398	6,699	105%	34,561	35,420	102%
55th Dist.	Ingham	ON	255	272	107%	258	273	106%	210	232	110%	204	210	103%	927	987	106%
55th Dist.	Ingham	SN	135	127	94%	144	152	106%	204	200	98%	166	174	105%	649	653	101%
55th Dist.	Ingham	OK	121	123	102%	95	90	95%	75	79	105%	87	85	98%	378	377	100%
55th Dist.	Ingham	SK	89	87	98%	129	134	104%	43	41	95%	20	19	95%	281	281	100%
		<b>Civil Inf. Total</b>	15,232	15,316	101%	16,639	16,808	101%	14,334	14,850	104%	10,679	11,039	103%	56,884	58,013	102%
55th Dist.	Ingham	GC	2,101	2,109	100%	2,070	2,079	100%	1,974	1,966	100%	2,269	2,151	95%	8,414	8,305	99%
55th Dist.	Ingham	GZ	13	11	85%	9	8		8	5		11	13	118%	41	37	90%
		<b>Gen. Civil Total</b>	2,114	2,120	100%	2,079	2,087	100%	1,982	1,971	99%	2,280	2,164	95%	8,455	8,342	99%
55th Dist.	Ingham	LT	1,686	1,651	98%	1,613	1,614	100%	1,491	1,478	99%	1,674	1,700	102%	6,464	6,447	100%
55th Dist.	Ingham	SC	596	560	94%	591	618	105%	601	551	92%	499	579	116%	2,287	2,308	101%
55th Dist.	Ingham	SP	13	16	123%	15	11	73%	25	24	96%	25	29	116%	78	80	103%
		<b>Sum. Civil Total</b>	2,295	2,227	97%	2,219	2,243	101%	2,117	2,053	97%	2,198	2,312	105%	8,829	8,835	100%
<b>55th Dist. Total</b>			26,607	26,688	100%	26,921	27,254	101%	24,775	25,258	102%	21,104	21,562	102%	99,407	100,762	101%



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# Performance Measures Adopted and Implemented

- 2012 Caseflow Management – Case Age Rates
- 2013 Caseflow Management – Clearance Rates
- 2013 Child Support Paid in the Month Due
- 2013 Public Satisfaction
- 2013 Recidivism Rates for Drug and Sobriety Courts
- 2015 Collections Program Compliance
- 2015 ADA Compliance
- 2016 Jury Management – Jury Yield
- 2017 Jury Management – Jury Utilization



# Performance Measures Piloted

- Employee Satisfaction
- Human Resources Program Components
- Internal Financial Controls Systems
- Budgeting
- Integrity of Court Records – Critical Data Fields
- Minimum Security Standards
- Probate Deficiencies and Administrative Closings



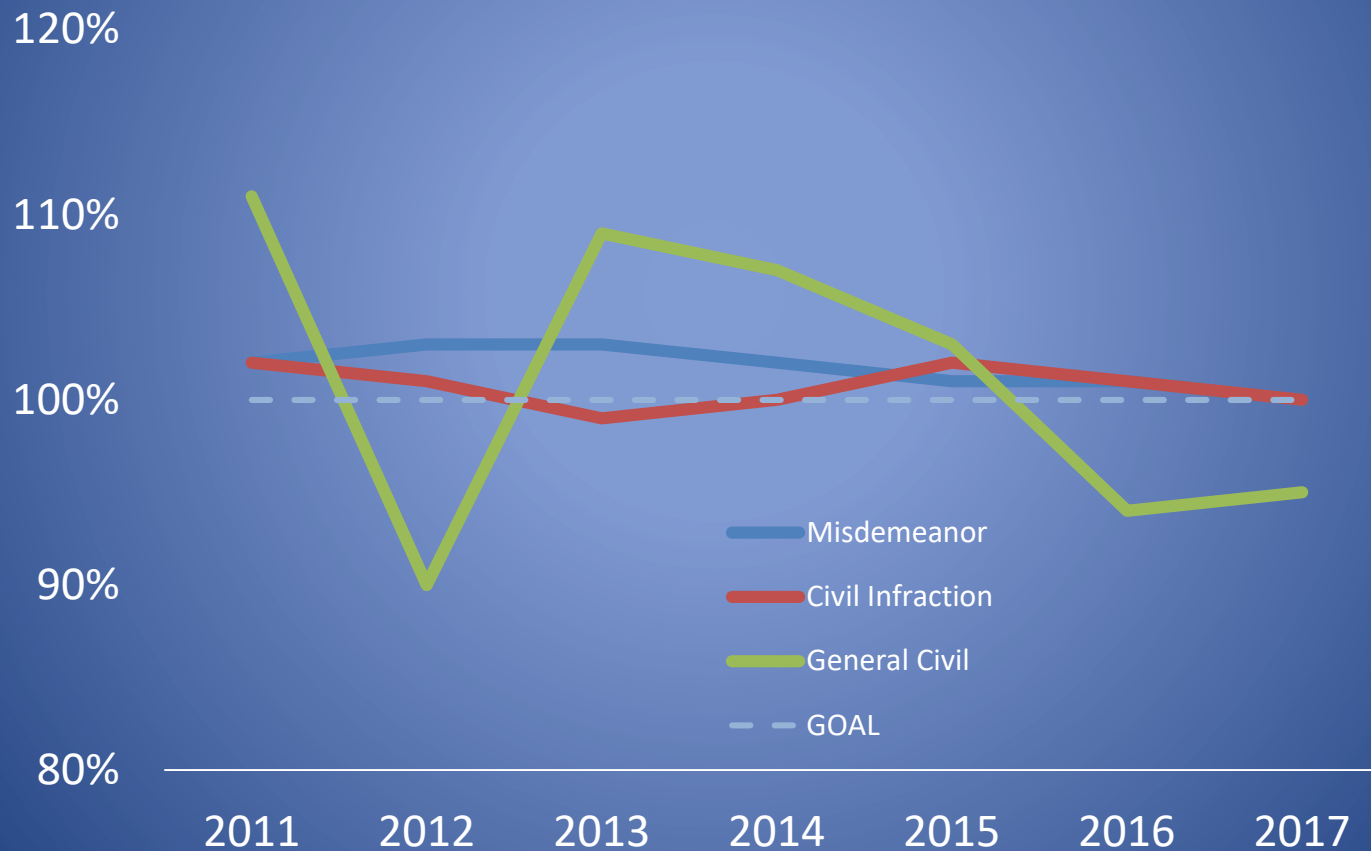
# Caseflow Management

Clearance Rates



# Clearance Rates

- Is the court keeping up with the incoming caseload?





# Michigan's Clearance Rate Formula

OUTGOING CASELOAD

# Cases Disposed or Made Inactive  
During the Year

-----divided by-----

INCOMING CASELOAD

# Cases Filed or Reopened  
During the Year

# Caseflow Management

Case Age Rates



# Case Age Rates

Is the court disposing of cases within the time guidelines?

**Michigan Supreme Court, Administrative Order 2013-12**

## **Divorce With Minor Children**

85% of all divorce cases with children should be adjudicated within 301 days from the date of case filing and 95% within 364 days.



# How does Michigan calculate the percentage of cases disposed within the guideline?

# Cases Disposed Within the Time Frame  
During the Year

-----divided by-----

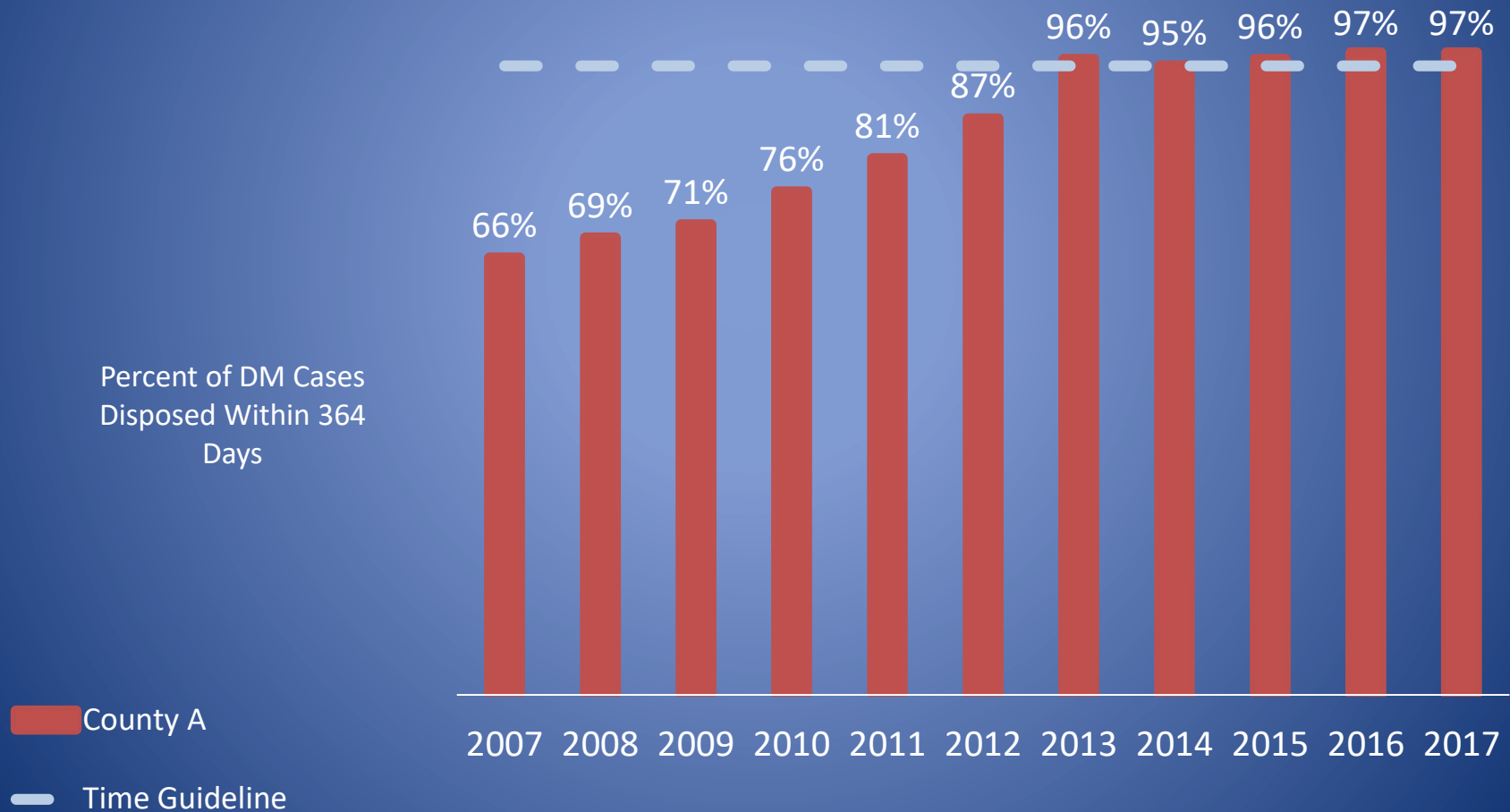
# Cases Disposed During the Year and  
# Cases Pending Over the Time Frame at Year End



# Case Age Rates

## Divorce With Minor Children

- Is the court disposing cases in a timely manner?



# What starts/stops the case age clock?

**CASE AGE BEGINS** at the appearance and arraignment on the complaint and warrant or citation, or at the appearance made by motion and followed by an order<sup>14</sup>

**CASE AGE ENDS** at adjudication of all counts against the defendant

**TIME NOT COUNTED** during inactive status as a result of:

- a warrant being issued before adjudication
- a defendant being referred to the Department of Community Health for evaluation to determine whether competent to stand trial
- a defendant is found incompetent to stand trial
- a case being stayed through an order issued by  
an appellate court for interlocutory appeal  
the trial court for military stay (for traffic misdemeanors)

<sup>14</sup> First appearance means arraignment date (meaning, the arraignment occurred) or an appearance by way of motion (such as a motion of nolle prosequi) that is followed by an order (whether that order is the result of a hearing or not). If no arraignment date is present, then appearance date means payment date (meaning, a payable citation has had a payment applied).

# Caseflow Management

## Administrative Orders

- AO 1991-4 - Rescinded
- AO 2003-7 - Rescinded
- AO 2011-3 - Rescinded
- AO 2013-12
  - Amended 9/1/2016

# Child Support Payments

In the Month Due



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# Percent of Child Support Paid in the Month Due

80%

40%

0%

2013

2014

2015

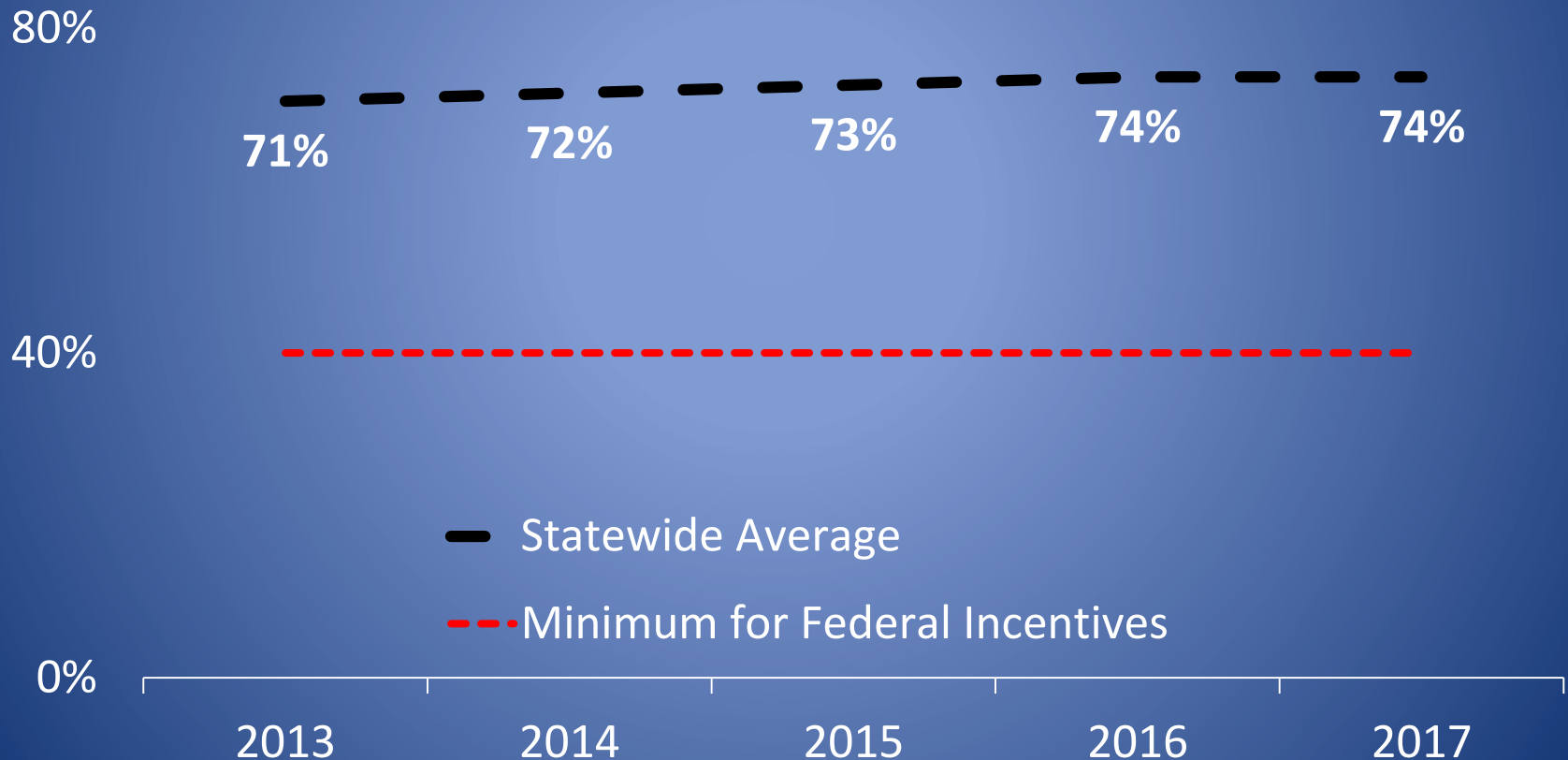
2016

2017

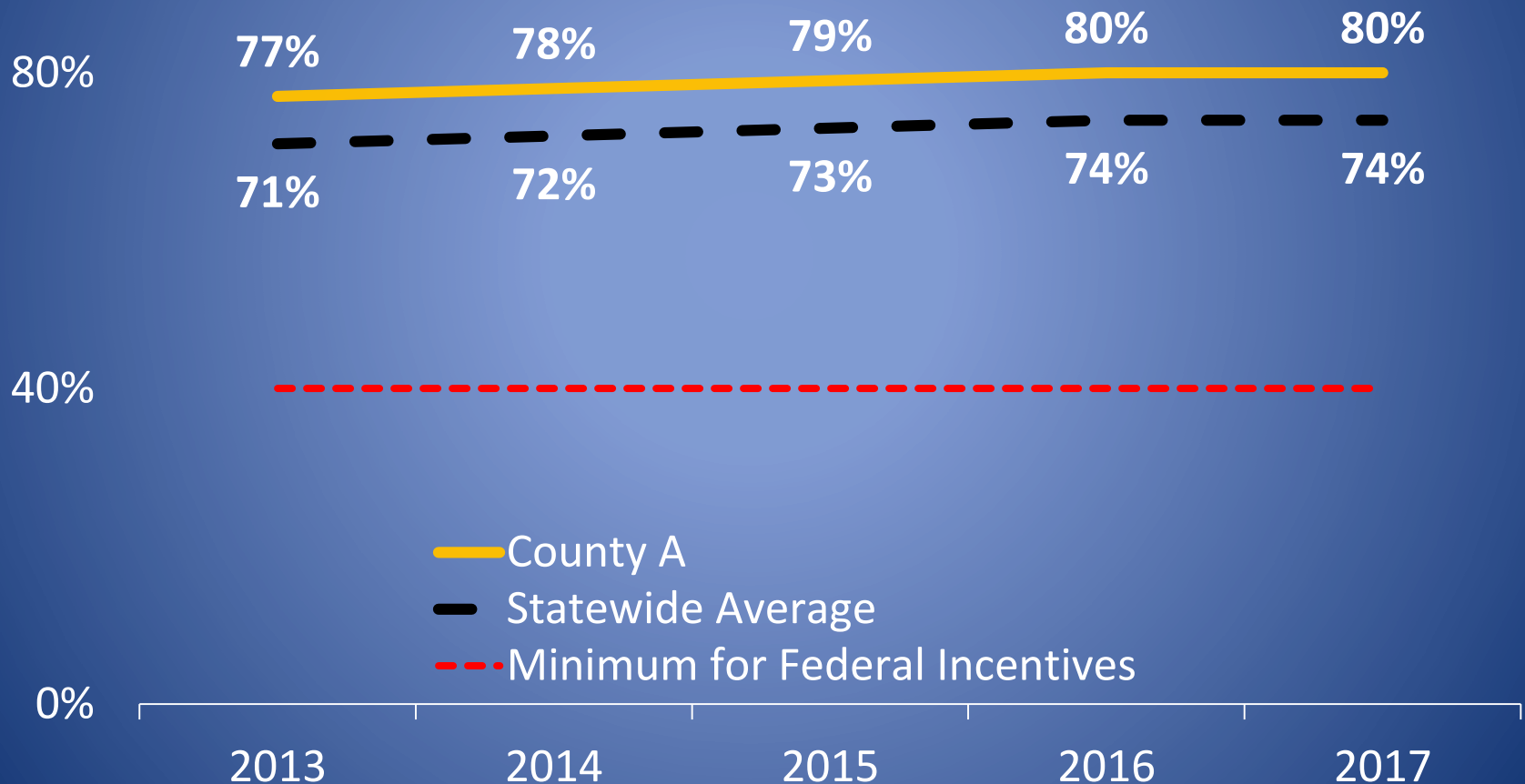
--- Minimum for Federal Incentives



# Percent of Child Support Paid in the Month Due



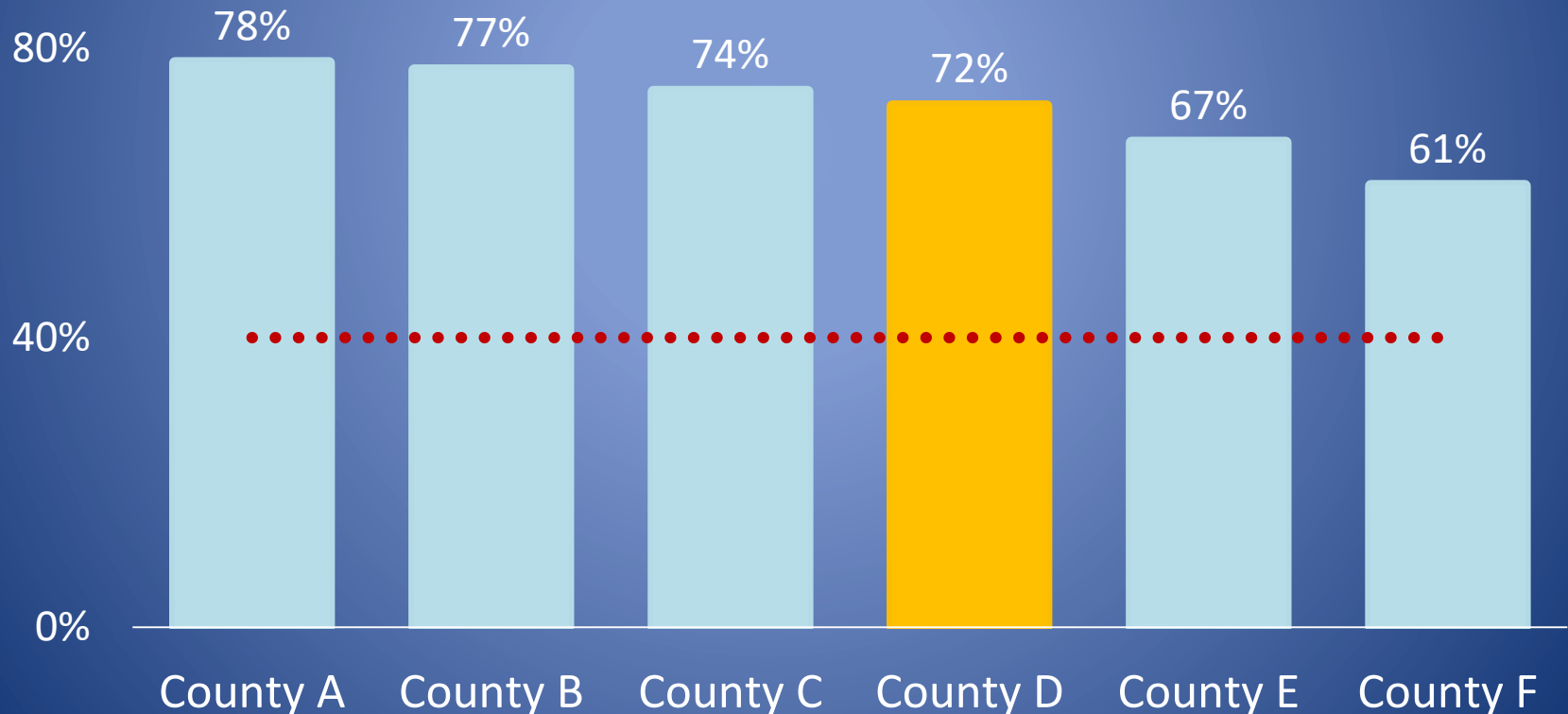
# Percent of Child Support Paid in the Month Due



# Percent of Child Support

Paid in the Month Due

- How does my court compare to others?





# Public Satisfaction Survey



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# Public Satisfaction Survey

Are court users satisfied with the service they received at the court?

Old-fashioned paper surveys

5 days at each court

~20,000 surveys every even-numbered year



# Public Satisfaction Survey

1. I was able to get my court business done in a **reasonable amount of time** today.
2. I was treated with **courtesy and respect** by court staff.
3. The way the case was handled was **fair**.
4. The judge/magistrate/referee treated everyone with **courtesy and respect**.
5. The **outcome** in my case was favorable to me.
6. As I leave the court, I **understand** what happened in my case.



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# Public Satisfaction Survey

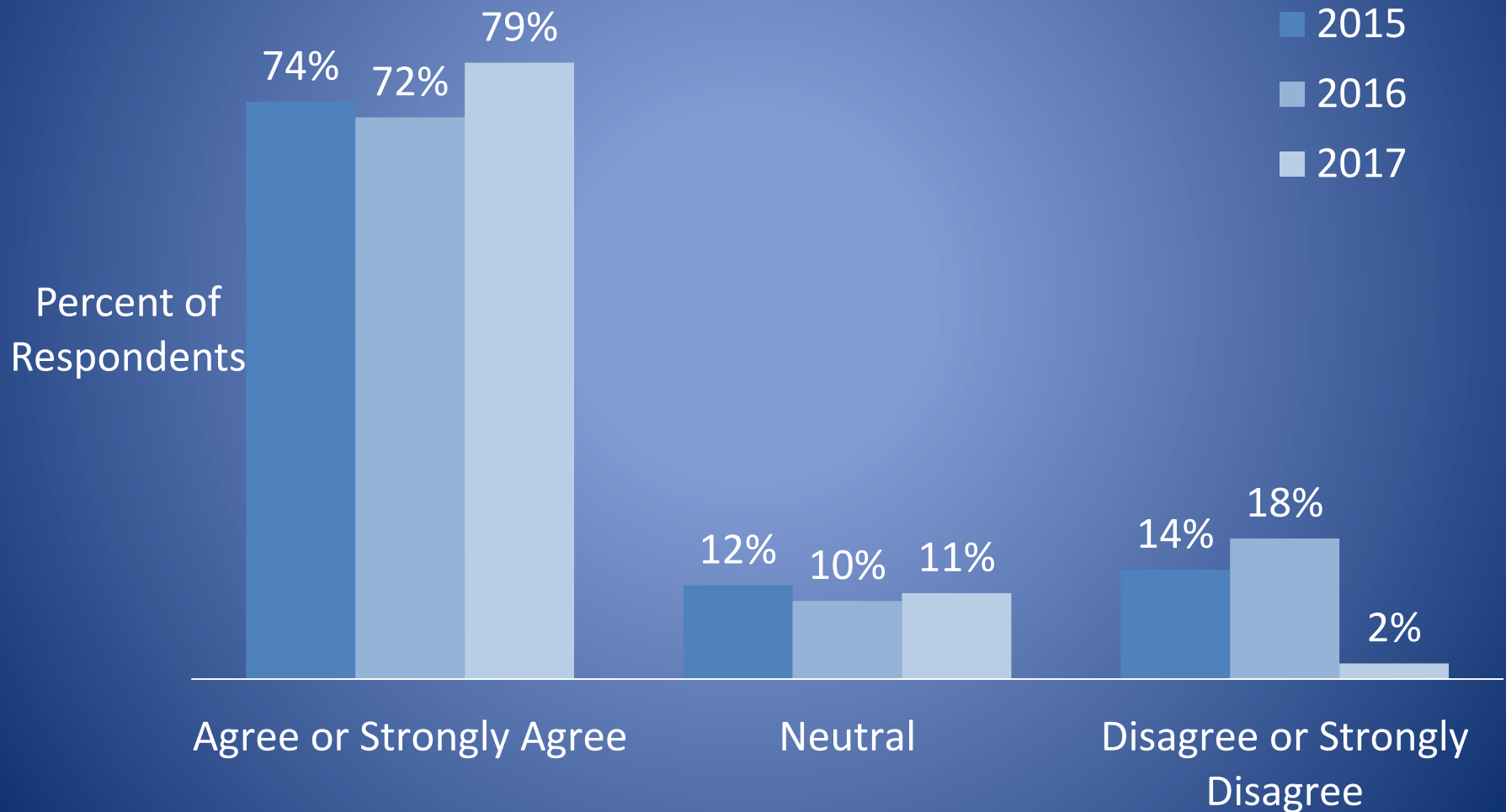
- 7. What Case Type?
- 8. What is Your Role at the Court?
- 9. What is Your Gender?
- 10. What is Your Race?



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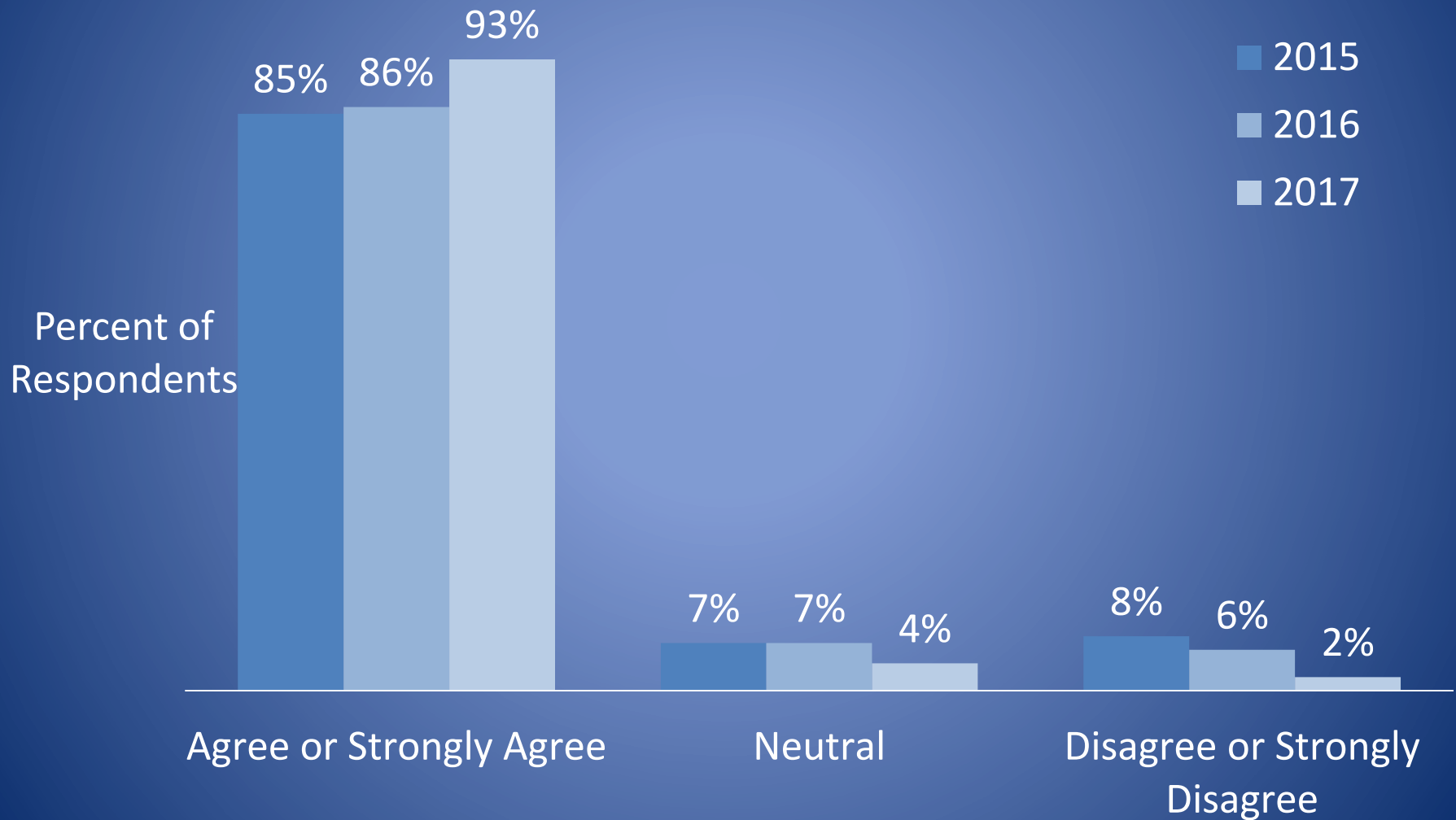
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I was able to get my court business done in a reasonable amount of time today.

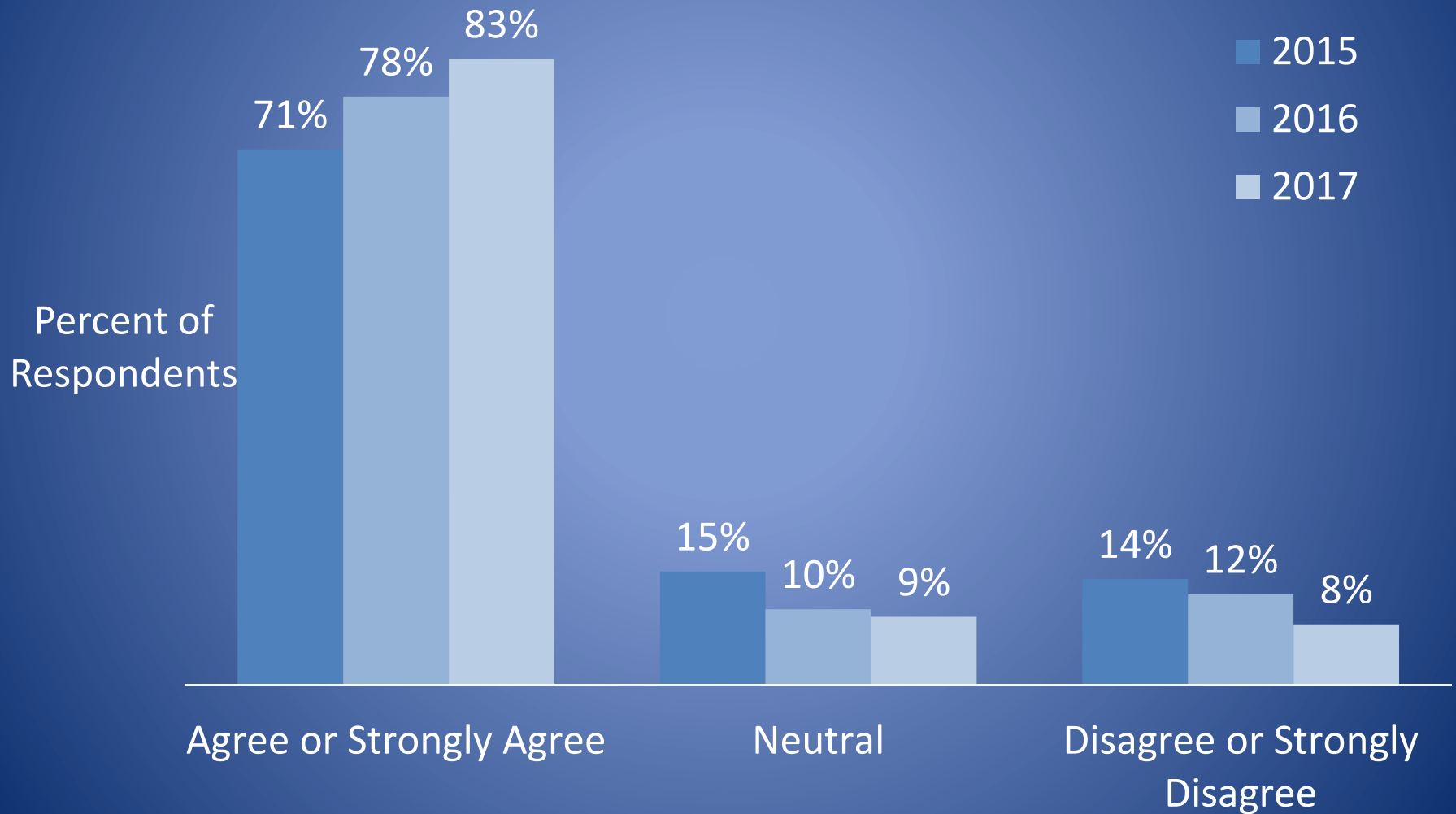




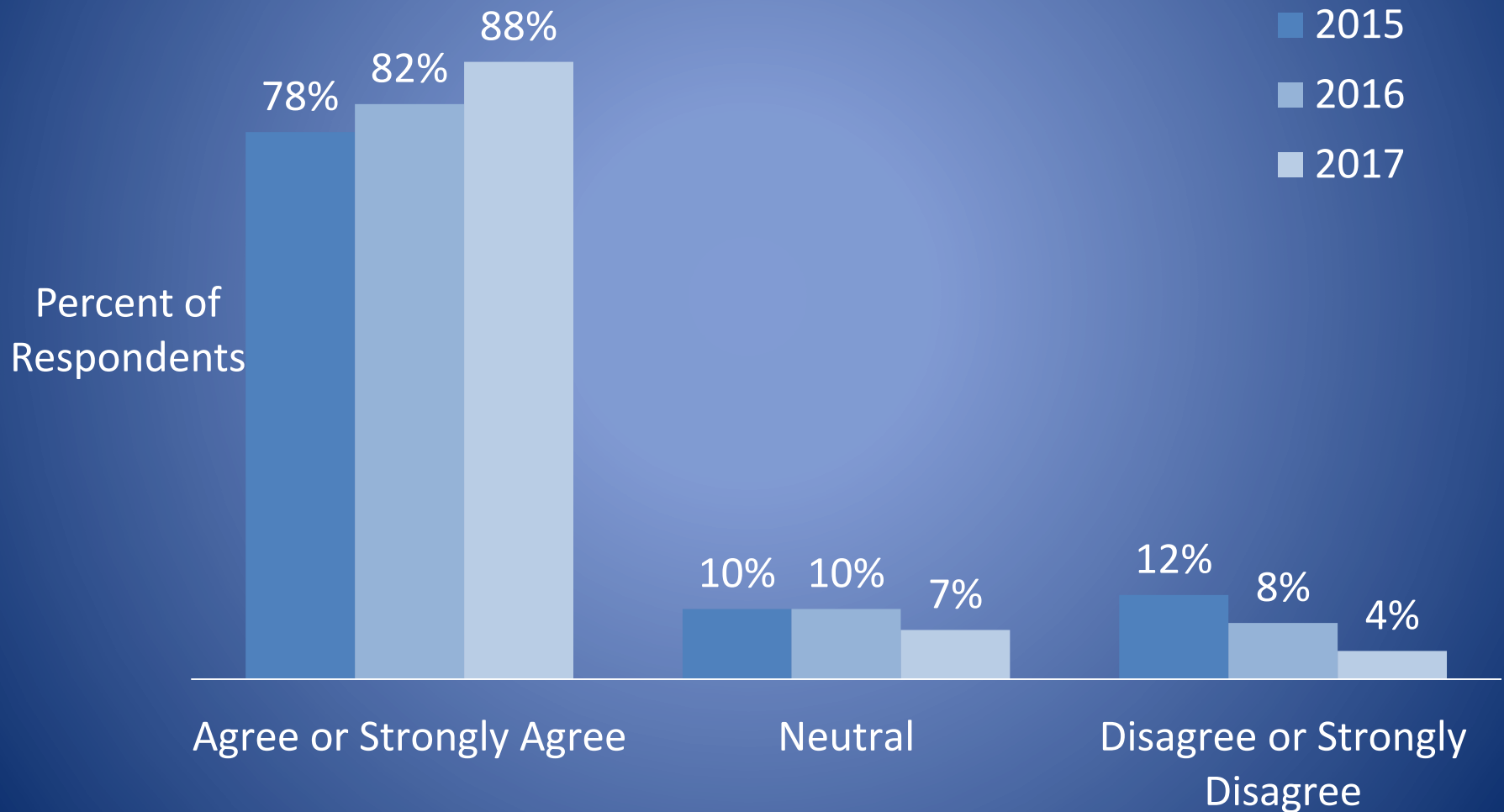
# I was treated with courtesy and respect by court staff.



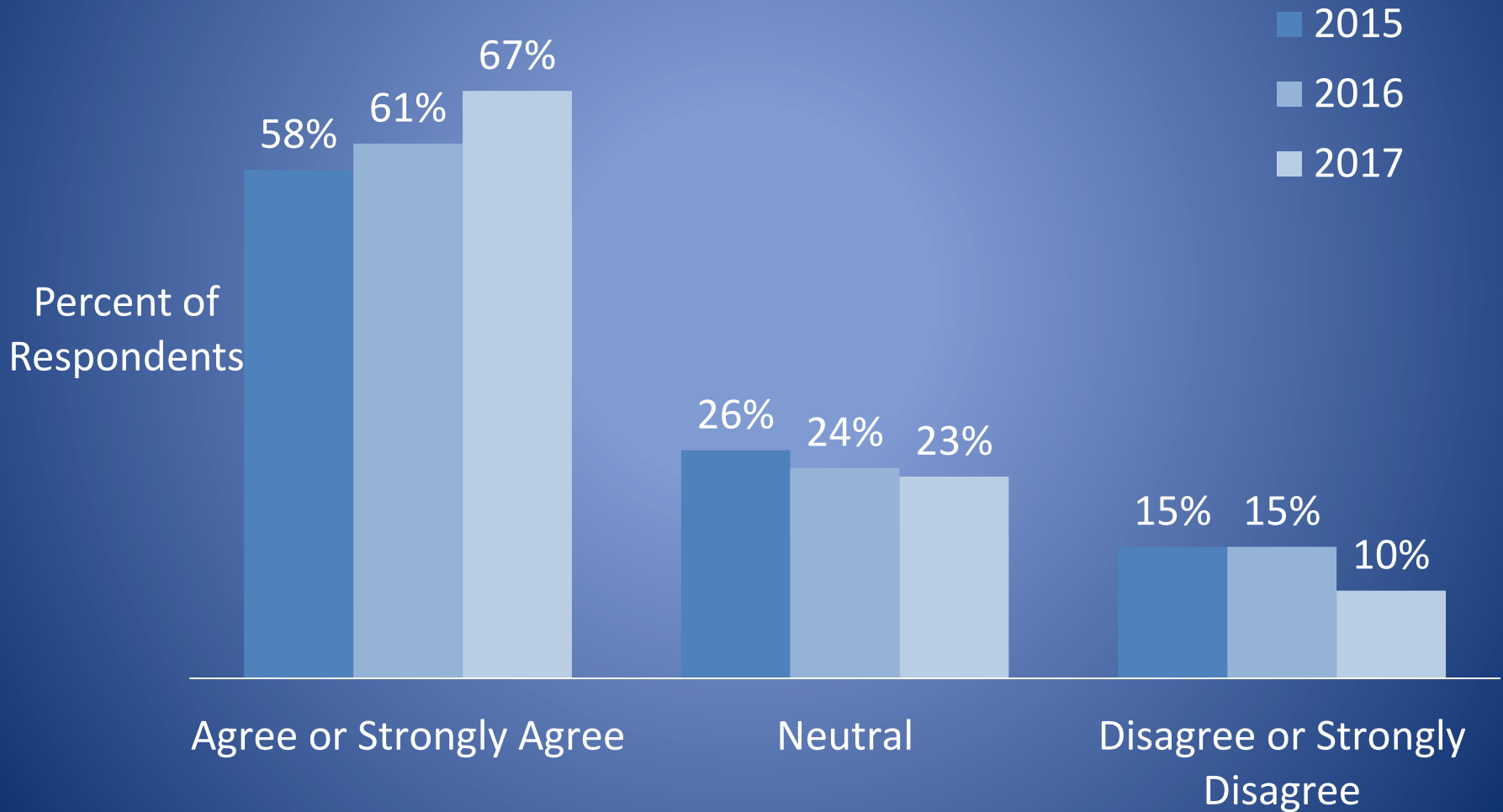
# The way the case was handled was fair.



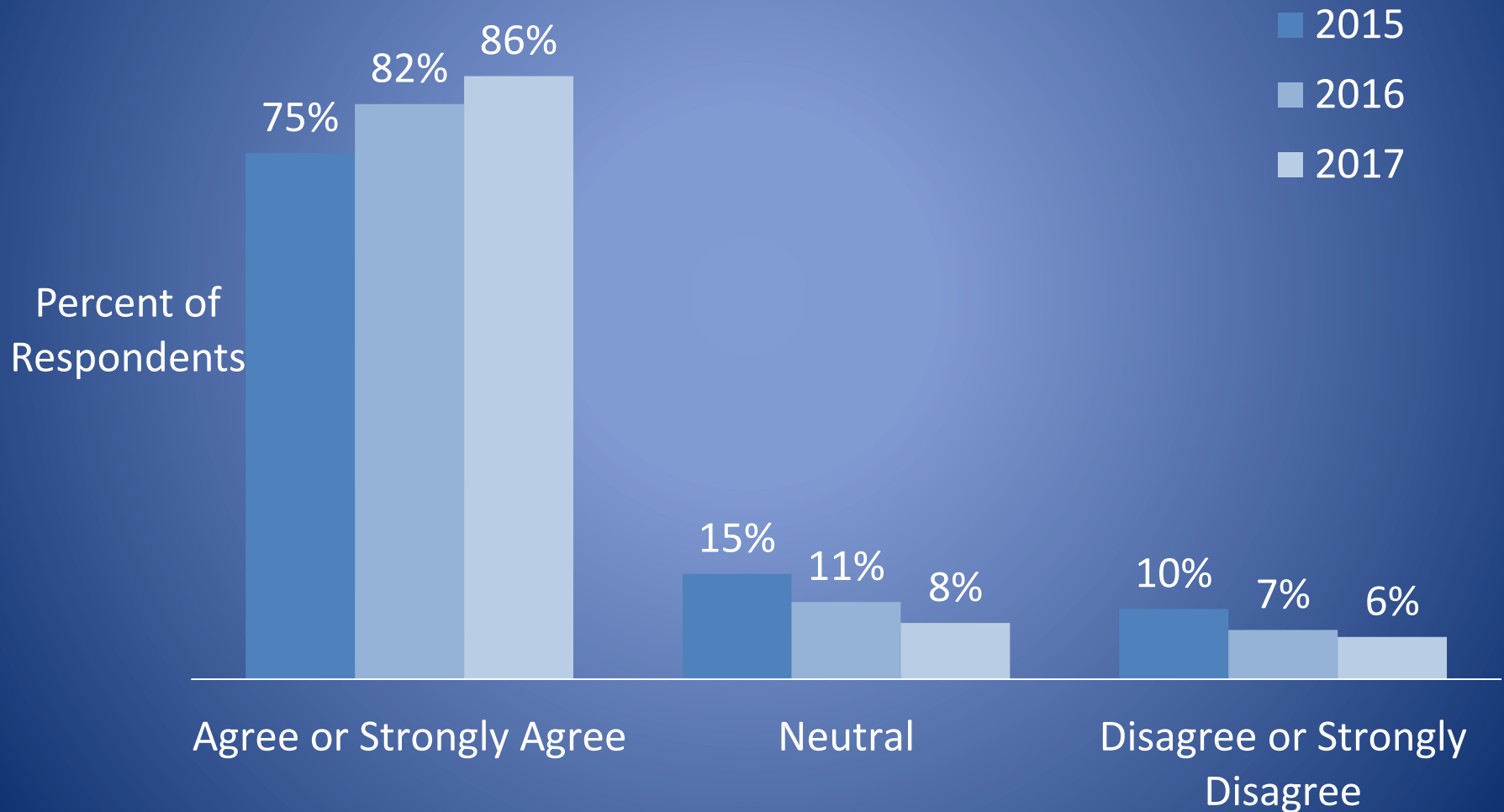
# The judge/magistrate/referee treated everyone with courtesy and respect.



# The outcome in my case was favorable to me.



# As I leave the court, I understand what happened in my case.



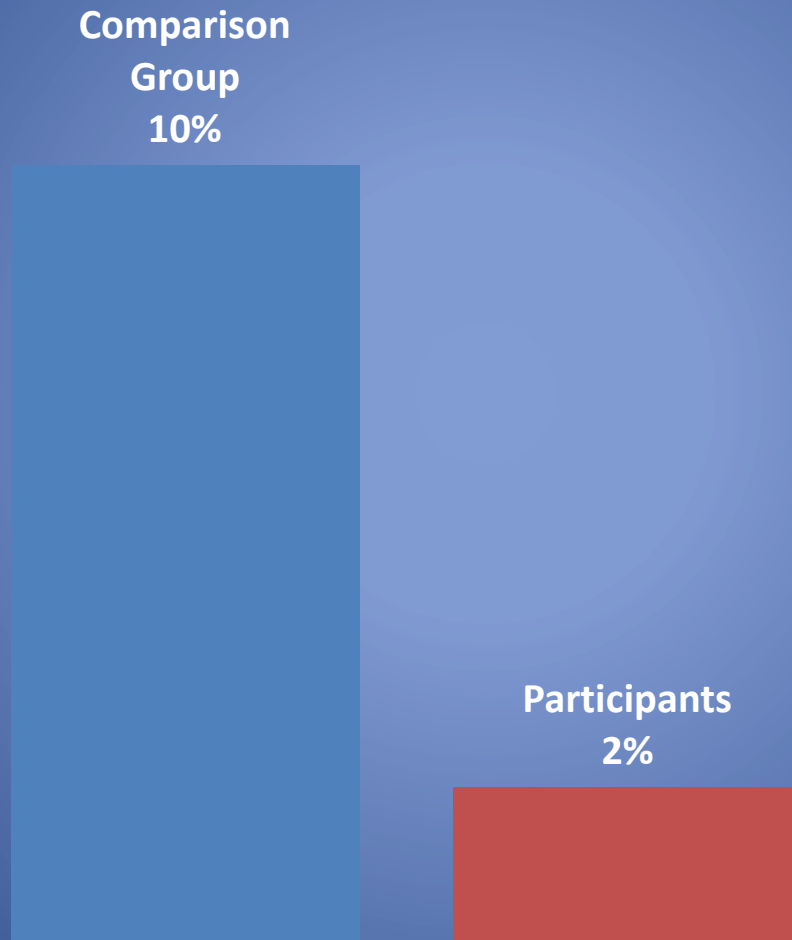


# Recidivism Rates

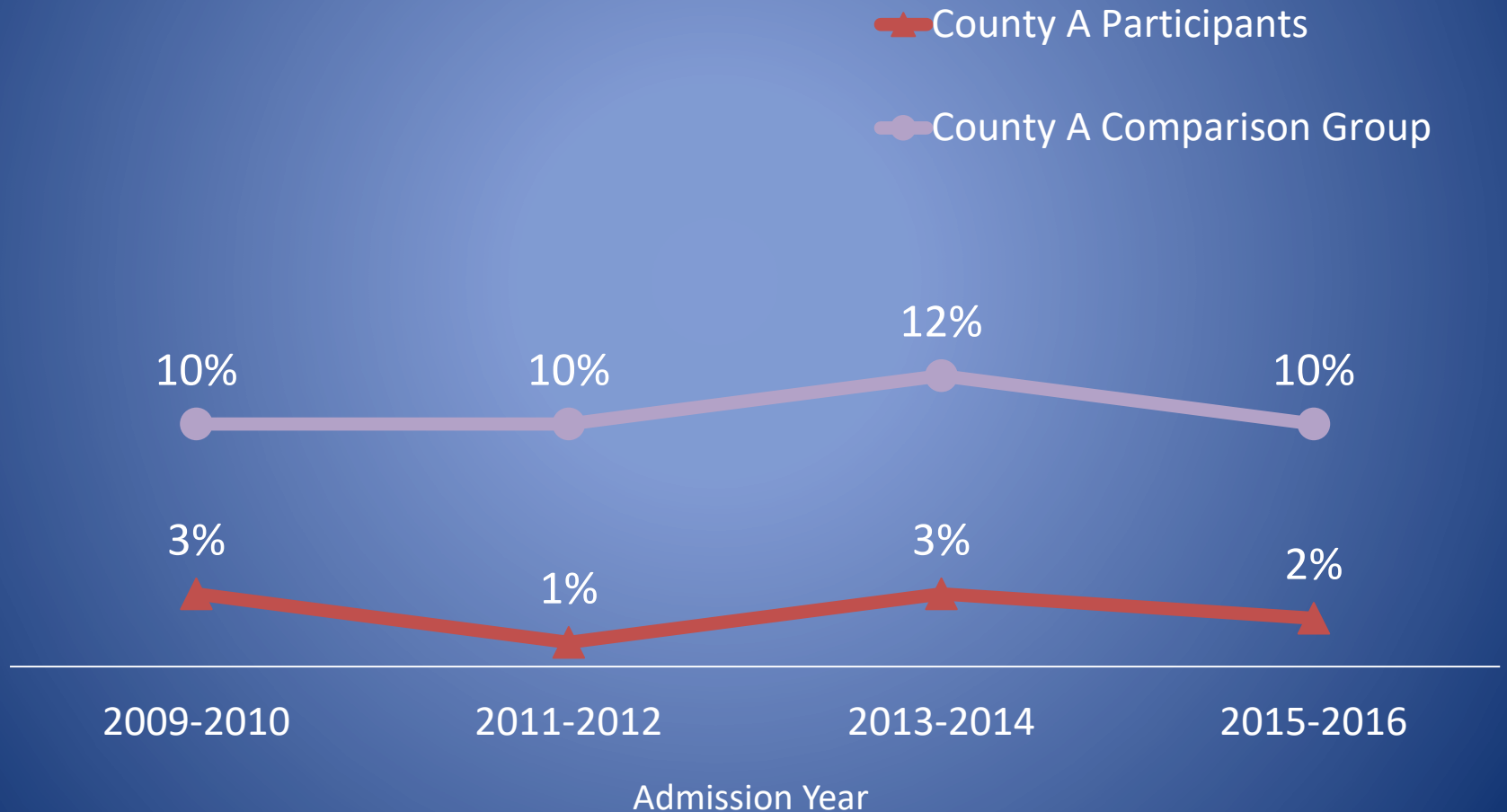
Drug and Sobriety Court Programs



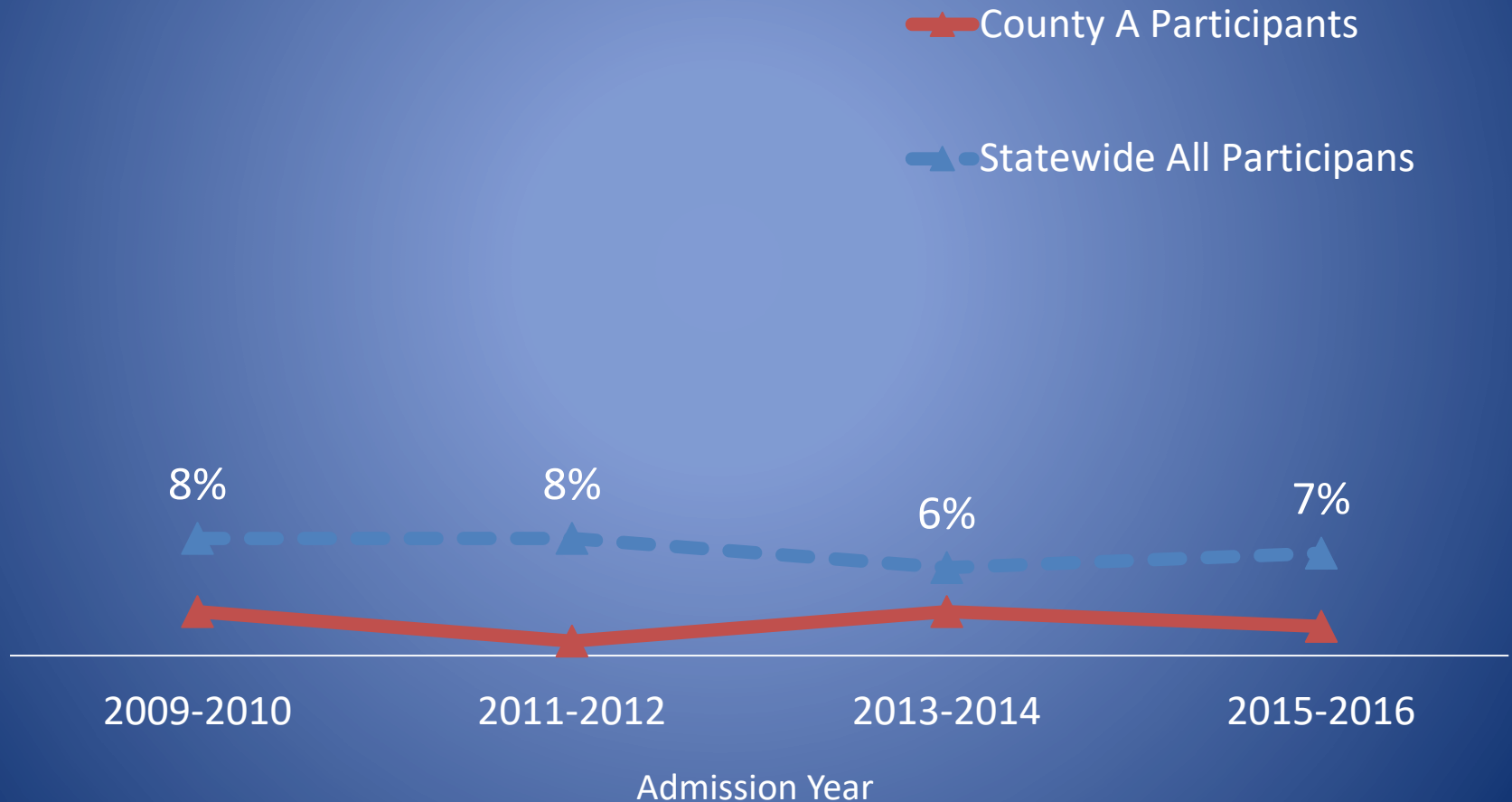
# Percent of Criminals Who Are Re-Convicted



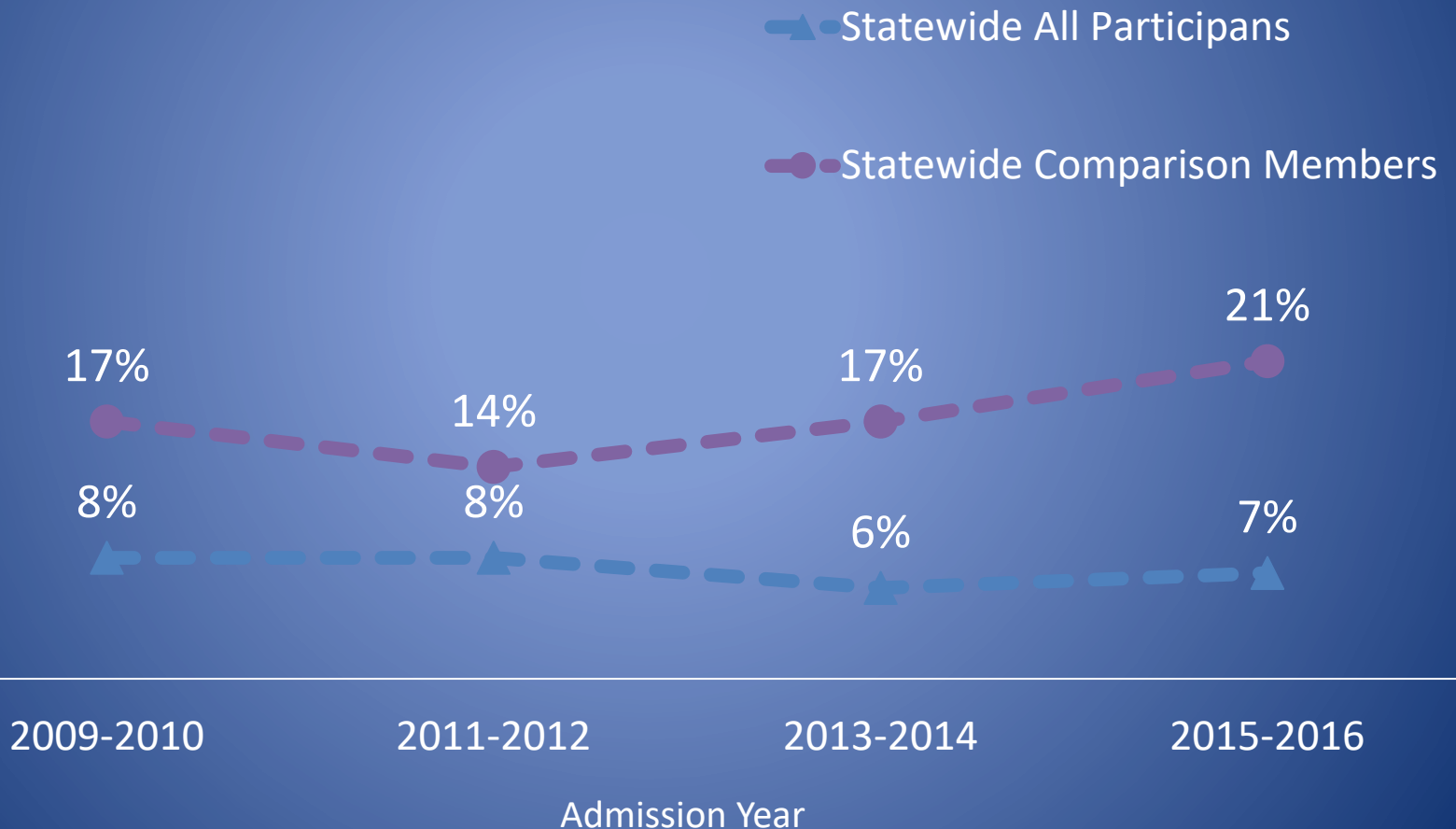
# Percent Re-Convicted Within 2 Years of Admission



# Percent Re-Convicted Within 2 Years of Admission



# Percent Re-Convicted Within 2 Years of Admission





# ADA Compliance



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# Goal

- Persons with disabilities must have equal and full access to the court system.



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# ADA Compliance Measure

- ✓ Court must have a policy in place.
- ✓ Chief judge must appoint an ADA coordinator.
- ✓ Every court location must have an ADA contact person.
- ✓ Chief judge and ADA coordinator must receive training.



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# Jury Management

Juror Yield

Juror Utilization



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# Balancing Act

- Is the court maximizing the use of citizens in the jury process and minimizing the number of unused prospective jurors?

The need for a  
sufficient  
number of  
jurors for a  
trial.



The  
inconvenience  
and cost of  
calling jurors to  
the court.



# Data Driven Decision Making

## Decisions to Make

- How many questionnaires do we need to send out based on past response/qualification/availability rates?

## Data Collected

- **Juror Yield**
  - # Questionnaires Sent to Prospective Jurors
  - # Returned, Qualified, Available

# Data Driven Decision Making

## Decisions to Make

- How many questionnaires do we need to send out based on past response/qualification/availability rates?
- How many jurors need to be summoned and told to report to the courthouse based on past appearance rates?

## Data Collected

- **Juror Yield**
  - # Questionnaires Sent to Prospective Jurors
  - # Returned, Qualified, Available
- **Juror Utilization**
  - # Jurors Summoned
  - # Told to Report / Actually Reported

# Data Driven Decision Making

## Decisions to Make

- How many questionnaires do we need to send out based on past response/qualification/availability rates?
- How many jurors need to be summoned and told to report to the courthouse based on past appearance rates?
- How many jurors need to be sent to the courtroom for questioning in voir dire?

## Data Collected

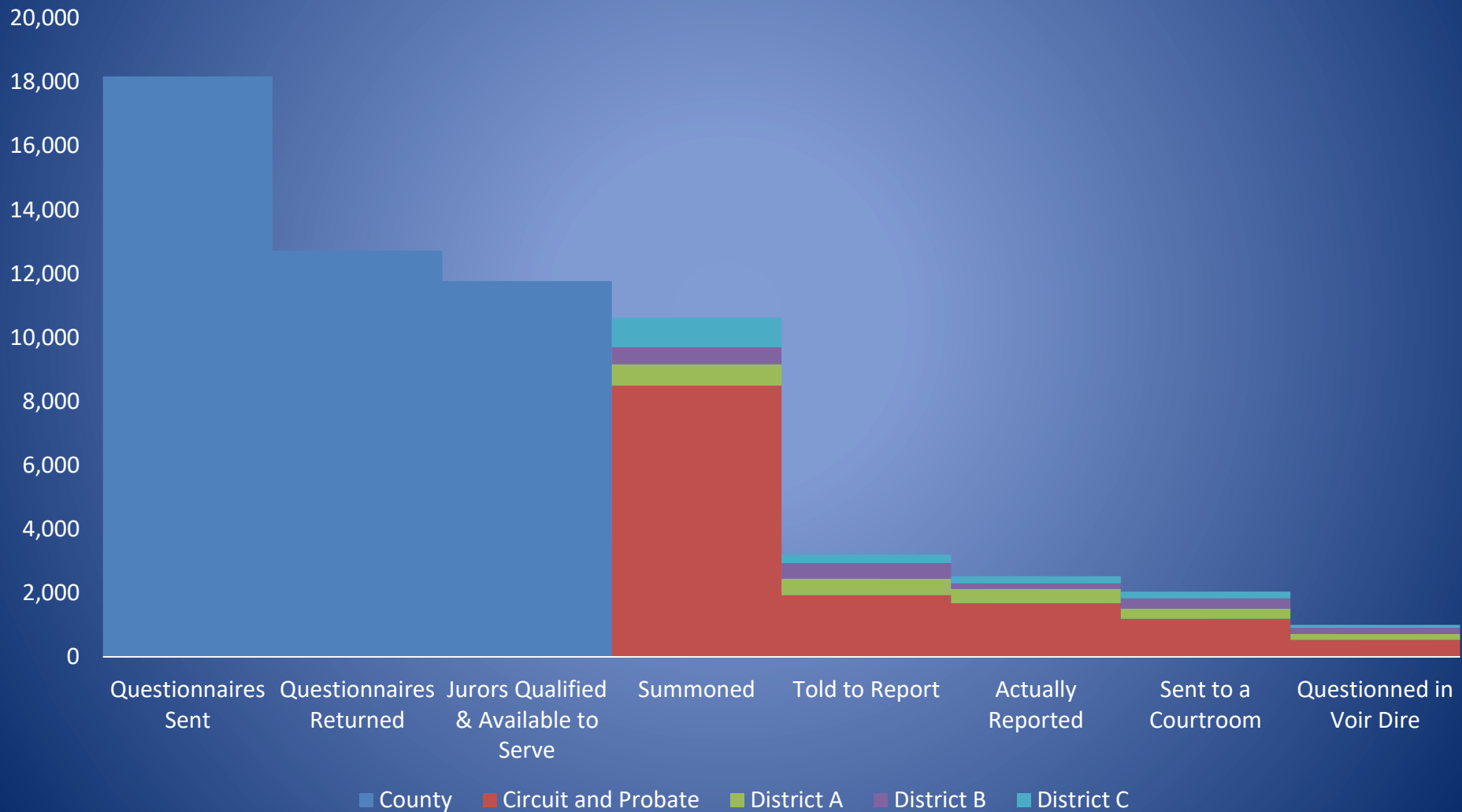
### • Juror Yield

- # Questionnaires Sent to Prospective Jurors
- # Returned, Qualified, Available

### • Juror Utilization

- # Jurors Summoned
- # Told to Report / Actually Reported
- # Sent to a Courtroom
- # Questioned in Voir Dire

# How many citizens are called to serve?



# Collections Programs



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# Collections Program Components

- Has the court implemented the 7 components of effective collections programs to enforce court-ordered financial sanctions?
- Includes:
  - Restitution to Make Victims Whole
  - Monetary Penalties for Criminals
- Does Not Include:
  - Child Support
  - Civil Judgments





# Required Components

1. **Staff** or staff time is dedicated exclusively to collections activities.
2. Enforcement of the requirements of MCR 1.110 and communication of the **expectation of payment**.
3. Payment requirement **on the day of** assessment.
4. **Application/financial statement** information is verified and evaluated to establish an appropriate payment plan.
5. **Payment alternatives** are available for those who do not have an immediate ability to pay.
6. Litigants are closely **monitored** for compliance, and actions such as delinquency notices, costs to compel appearance, and wage assignments are taken promptly for noncompliance.
7. Submit required receivables and collections **reports to the SCAO** annually.



# Optional Components

8. Promptly and consistently use statutorily permitted **graduated sanctions** such as 20 percent late penalty, costs to compel appearance, show cause hearings, bench warrants, and/or state income tax garnishment/intercept.
9. Use of **locator services**.
10. Referral to **outside agency** for collections after all in-house collections efforts are exhausted.



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# Status Report

## Court Collections Program Status

Court	Most Recent Review	Status	Components Required for Compliance							Optional Components		
			1	2	3	4	5	6	7	8	9	10
49th Circuit-Mecosta		COMPLIANT	✓	✓	✓	✓	✓	✓	✓	✓	✓	
49th Circuit-Mecosta-Family Division		COMPLIANT	✓	✓	✓	✓	✓	✓	✓	✓	✓	
77th District-Mecosta		COMPLIANT	✓	✓	✓	✓	✓	✓	✓	✓		
49th Circuit-Osceola		COMPLIANT	✓	✓	✓	✓	✓	✓	✓	✓	✓	
49th Circuit-Osceola-Family Division		COMPLIANT	✓	✓	✓	✓	✓	✓	✓	✓	✓	
77th District-Osceola		COMPLIANT	✓	✓	✓	✓	✓	✓	✓	✓		



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# Resources and Support

Court Visit

Best Practice Manuals and Guides

Management Assistance



# Annual Court Visit

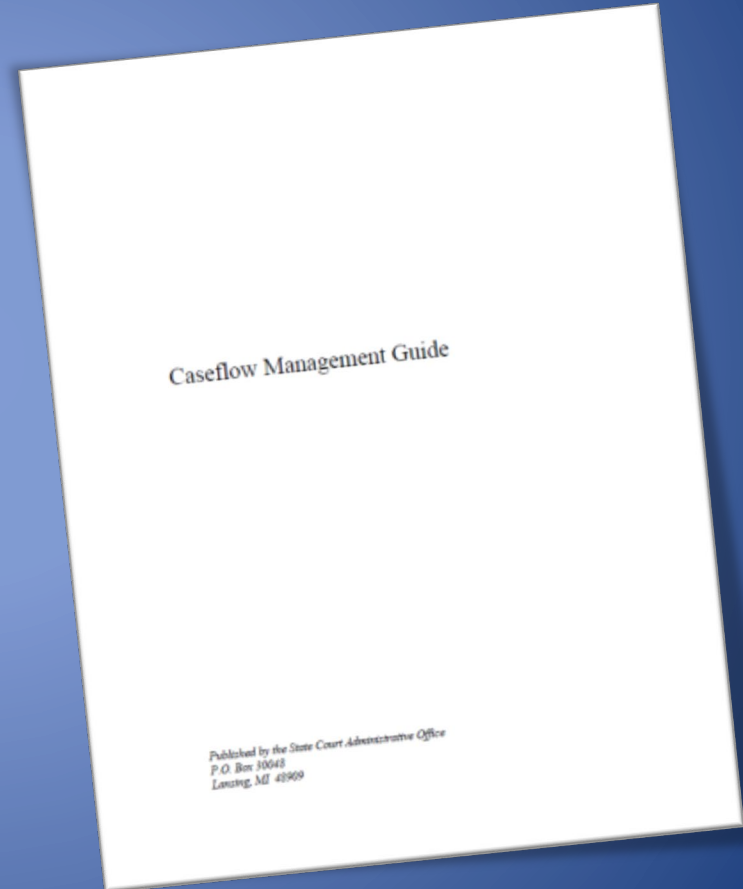
- Regional Administrator
- Meeting with Court Leaders
- Data Packet with Summary Analysis

Cass County Summary Analysis					4th District Court				
	2016	2017	Change	Page		2016	2017	Change	Page
<b>43rd Circuit Court</b>					<b>Felony Cases</b>				
Filing Trend	365	350	-4%	2	Filing Trend	503	511	0%	56
Case Age (disposed within 301 days)	86%	88%	2%	4	Case Age (disposed within 28 days)	93%	93%	0%	58
Clearance Rate	96%	96%	0%	6	Clearance Rate	93%	93%	-2%	76
<b>Civil Cases</b>					<b>Misdemeanor Cases</b>				
Filing Trend	70	70	-13%	7	Filing Trend	1,433	1,428	0%	60
Case Age (disposed within 728 days)	99%	97%	-2%	9	Case Age (disposed within 126 days)	99%	98%	-1%	62
Clearance Rate	89%	107%	18%	11	Clearance Rate	99%	99%	0%	76
<b>Paternity &amp; Support</b>					<b>Civil Infractions</b>				
Filing Trend	204	167	-18%	12	Filing Trend	2,915	3,090	6%	64
Case Age (disposed within 238 days)	99%	99%	0%	14	Case Age (disposed within 84 days)	99%	100%	1%	66
Clearance Rate	100%	96%	-4%	16	Clearance Rate	100%	100%	0%	76
<b>Divorce Without Minor Children</b>					<b>General Civil</b>				
Filing Trend	131	125	-4%	17	Filing Trend	857	974	14%	68
Case Age (disposed within 364 days)	99%	99%	0%	21	Case Age (disposed within 455 days)	100%	99%	-1%	70
Clearance Rate	96%	96%	0%	22	Clearance Rate	99%	97%	-2%	76
<b>Divorce With Minor Children</b>					<b>Summary Civil (w/o Jury Demand)</b>				
Filing Trend	119	103	-14%	24	Filing Trend	643	651	1%	72
Case Age (disposed within 364 days)	100%	99%	-1%	26	Case Age (disposed within 126 days)	93%	95%	2%	74
Clearance Rate	93%	105%	12%	26	Clearance Rate	99%	100%	1%	76
<b>Family Division (Child Protective) NA</b>					<b>Probate Court</b>				
Filing Trend	96	74	-23%	27	<b>Estates and Trusts</b>				
Case Age (disposed within 364 days)	95%	98%	3%	29	Filing Trend	112	107	-4%	43
Clearance Rate	95%	100%	5%	34	Case Age (disposed within 364 days)	107%	100%	-7%	44
<b>Family Division (New Petitions)</b>					Clearance Rate	63	77	22%	46
Filing Trend	89%	100%	11%	35	<b>Guardianships &amp; Conservatorships</b>				
Case Age (placement, disposed within 98 days)	89%	100%	11%	37	Filing Trend	121%	92%	-29%	55
Case Age (no placement, disposed within 210 days)	206	188	-9%	35	Case Age (disposed within 364 days)	41	48	17%	49
Clearance Rate	99%	100%	1%	40	Clearance Rate	98%	100%	2%	55
<b>Family Division (Delinquency) DL</b>					<b>Mental Illness &amp; Judicial Admission</b>				
Filing Trend	99%	94%	-5%	42	Filing Trend	6	3	-50%	52
Case Age (detained, disposed within 98 days)	100%	94%	-6%	42	Case Age (disposed within 28 days)	6	3	-50%	53
Case Age (not detained, disposed within 210 days)	100%	94%	-6%	42	Clearance Rate				55
Clearance Rate					<b>Civil</b>				
					Filing Trend				
					Case Age (disposed within 728 days)				
					Clearance Rate				

Child Support Payments					2016	2017	Change	Page
					72%	72%	0%	95
<b>Jury Management</b>								
Jury Yield								
Case County					43%	80		
Comparison Group Average					55%	80		
<b>Cass County Courts</b>								
Jury Utilization					12%	78		
Comparison Group Average					20%	78		
Jurors Told to Report					516	78		
Jury Verdicts					6	78		
<b>Problem-Solving Court Recidivism</b>								
Complaints					33%	29%	-19%	87
Participants					29%	29%	0%	87
Difference								
<b>004 Cass Adult</b>								
Any convictions within 4 years					YES	93		
Alcohol/Drug conviction within 4 years					YES	93		
Collection Program & ADA Compliance					YES	93		
<b>Helpful Resources</b>								
Truancy Court Directory					YES	NA		
Public Satisfaction					YES	NA		
Adult Mental Health Court Standards and Best Practices					YES	NA		
Adult Drug Court Standards and Best Practices					YES	NA		
Veterans Treatment Court Standards and Best Practices					YES	NA		



# Best Practices Manuals & Guides





# Management Assistance

- general court administration, probation services
- policies and procedures
- human resources
- records and case file management
- case processing
- jury management
- collection and enforcement of court-ordered financial obligation



MICHIGAN'S JUDICIARY

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# Future Direction

More data visualization.

More timely access to measures.

Ability to drill down.



MICHIGAN'S JUDICIARY

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