

HOW ARE WE DOING?

USING PERFORMANCE MEASUREMENT AS A DASHBOARD FOR YOUR COUNTY

OCTOBER 2010 – LUBBOCK, TX
DAVID SLAYTON

TEXAS ASSOCIATION OF COUNTY AUDITORS

Performance Measurement Means:

- **Identifying those performance measures that will actually help to achieve the desired results.**
- **Making sure those performance measures are available to the right people at the right time.**

5 Reasons to Assess Performance

1. Performance data allow everyone to test the reality of their assumptions of how well things are going. *It's courageous to look at hard data against perceptions.*
2. Demonstrates capacity to identify & focus on areas of *greatest importance* to a broad & diverse audience.
3. Fosters greater creativity among staff by *setting desired outcomes* in terms of clear measurement.

5 Reasons to Assess Performance

4. Added value for preparing, justifying, and presenting budgetary requests. *Linking resources to achievement of outcomes.*
5. Formal performance assessment signals a county's recognition, willingness, and ability to meet its critical *institutional* responsibilities as part of government.

Concerns about Measuring Performance

- Threatens independence
- County departments have little control over outcomes
- Will be misused to hurt me, not help me
- It's just the latest fad/initiative, why bother

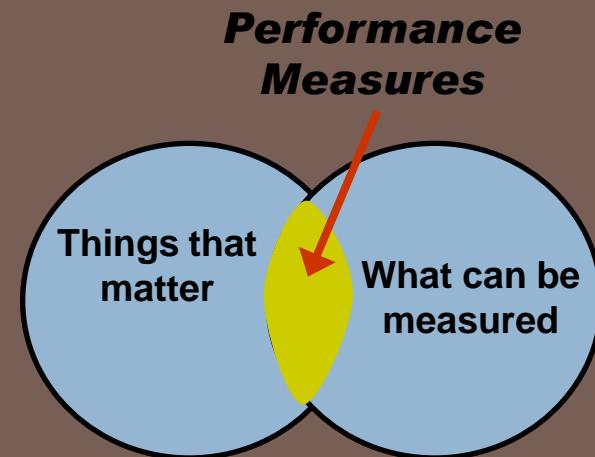
Excuses

- Too hard
- What we do is too complicated to measure
- We cannot expect to make people happy
- Our data are no good
- No one else does, why should we?
- Wait until we get the new IT system, it will do everything we need

Performance Management

What are the criteria for a good set of performance indicators?

- Linked to Key Principles
- Balanced
- Measurable
- Sustainable
- Focused on outcomes
- A feasible, meaningful, practical few



Example: Court Performance Measurement

CourTools

CourTool 1: Access & Fairness

- **Definition:** Ratings of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect.
- **Purpose:** Many assume that “winning” or “losing” is what matters most to citizens when dealing with the courts. However, research consistently shows that *positive perceptions of court experience are shaped more by court users' perceptions of how they are treated in court, and whether the court's process of making decisions seems fair*. This measure provides a tool for surveying all court users about their experience in the courthouse. Comparison of results by *location, division, type of customer, and across courts* can inform court management practices.

YOU BE THE JUDGE



PLEASE TAKE A FEW
MINUTES TO TELL US WHAT
YOU THINK.

THANK YOU FOR YOUR
PARTICIPATION!

USTED SEA EL JUEZ!



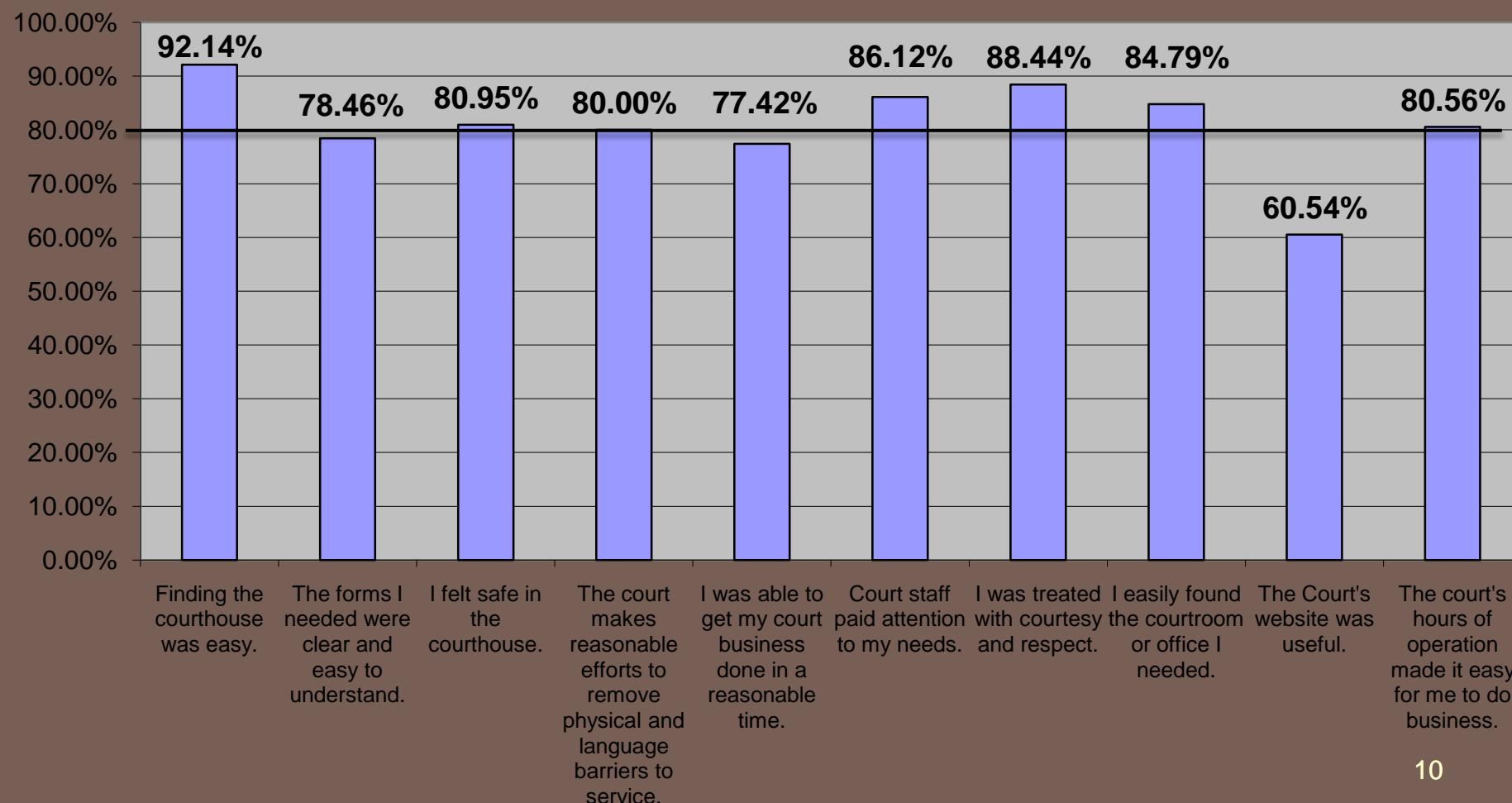
**FAVOR DE TOMAR
UNOS POCOS
MINUTOS PARA
DARNOS SU OPINIÓN.**

¡GRACIAS POR PARTICIPAR!

CourTool 1: Access & Fairness

Lubbock County

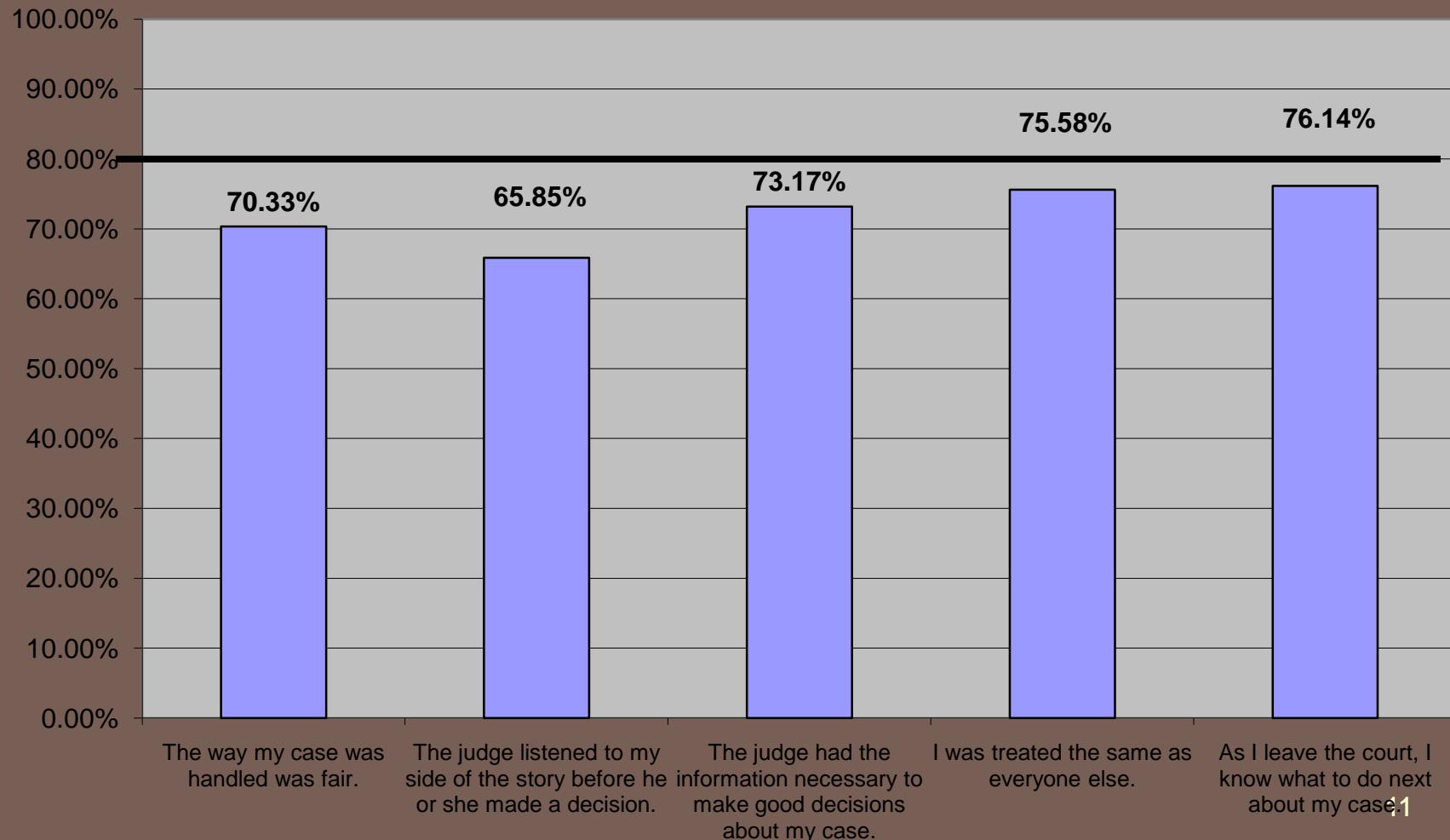
Percent Giving a 4 or 5 (Agree/Strongly Agree) to Access Questions



CourTool 1: Access & Fairness

Lubbock County

Percent Giving 4 or 5 (Agree/Strongly Agree) to Fairness Questions



Lubbock Strategies

Strategy 1: The Courts should work with the Lubbock County Website Committee to determine ways to better publicize the Lubbock County website and its usefulness.

Strategy 2: The Courts should review its website to determine what information or services can be added to provide more usefulness to the public.

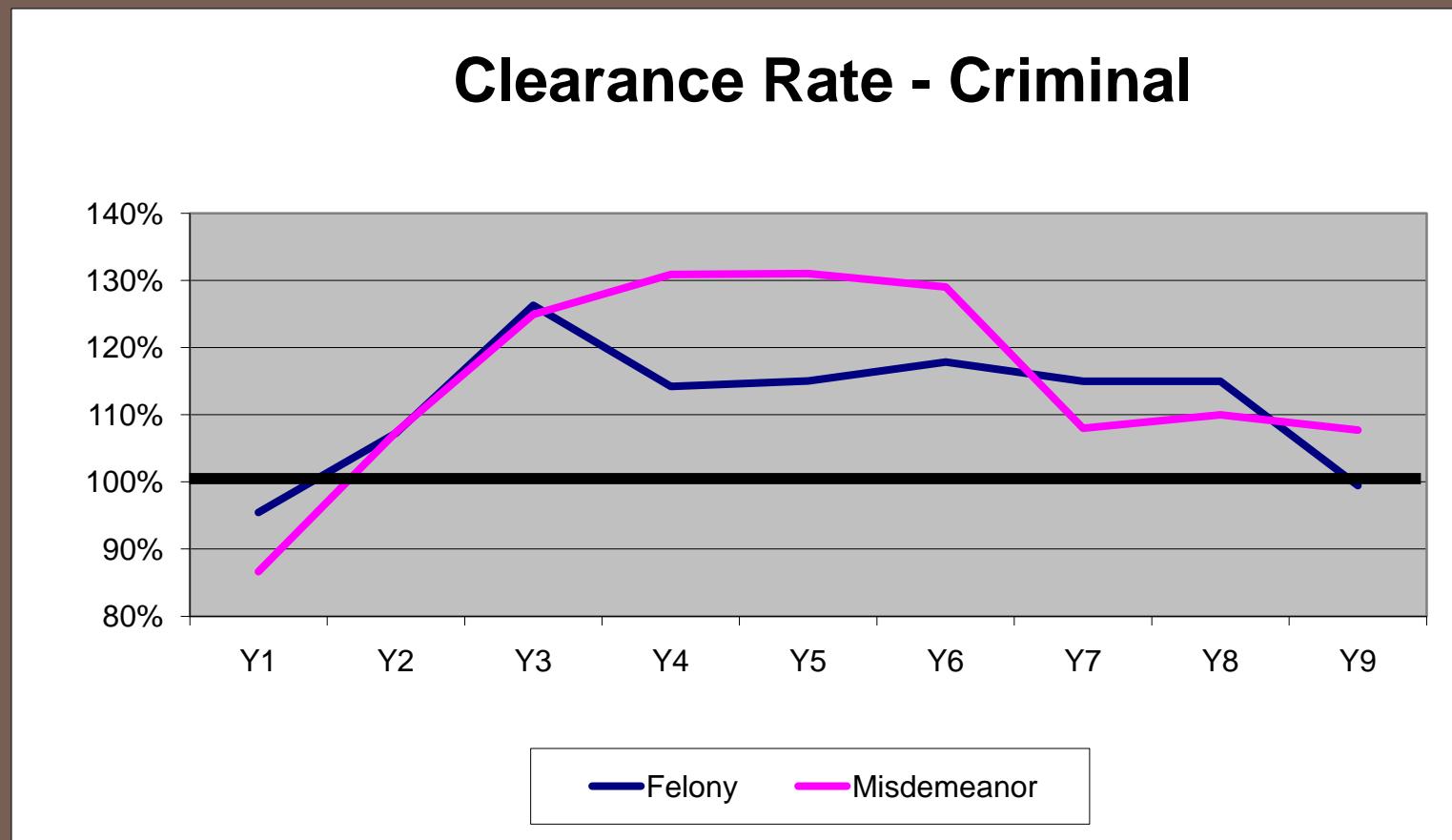
Strategy 3: Judge should strive to show litigants in the courts that he or she listens to both sides of the case prior to making a decision.

CourTool 2: Clearance Rates

- **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 of in a timely manner, a backlog of cases awaiting disposition will grow.* This performance measure is a single number that can be compared within the court for any and all case types, on a monthly or yearly basis, or between one court and another. *Knowledge of clearance rates by case type can help a court pinpoint emerging problems and indicate where improvements can be made.*

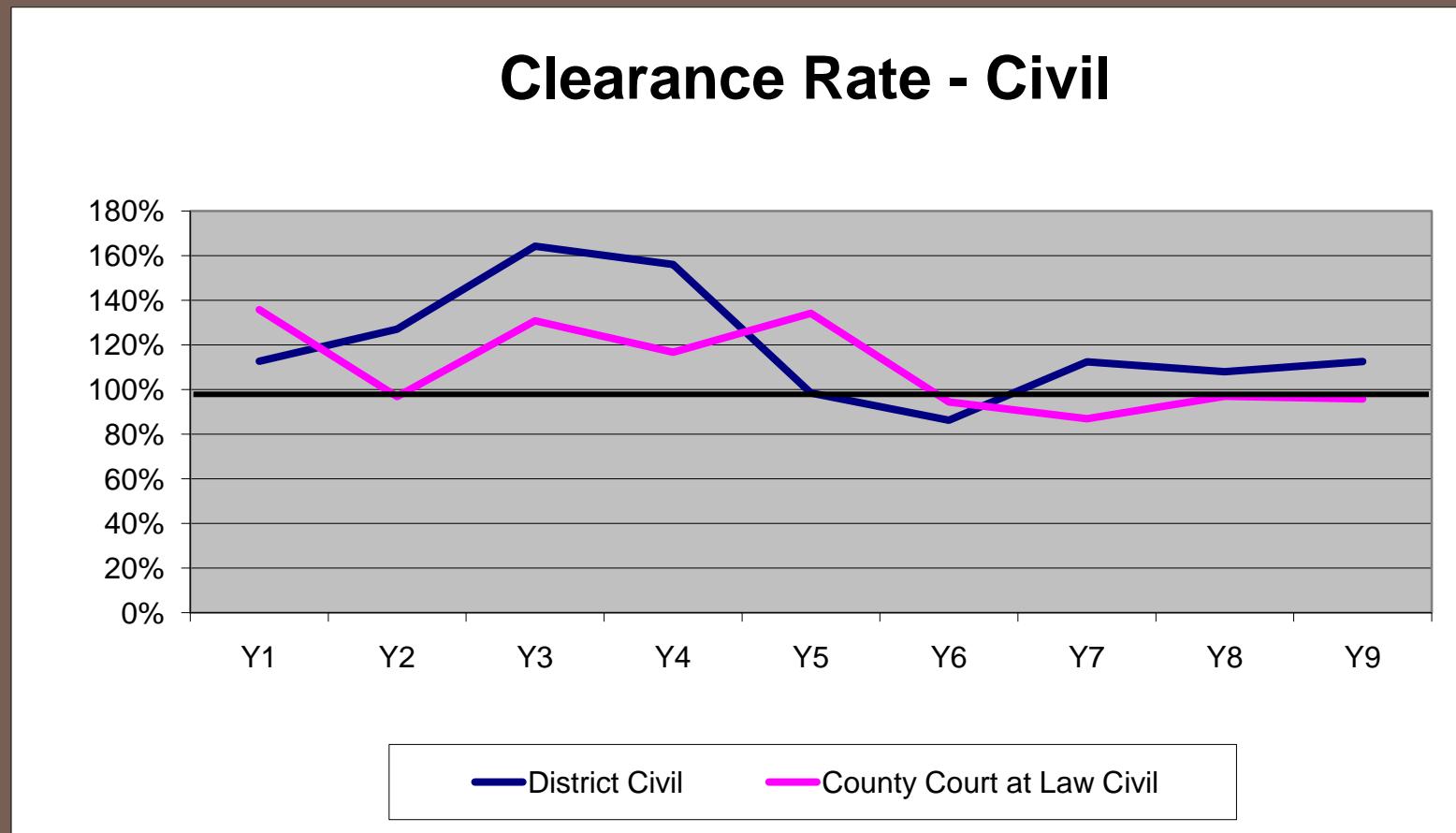
CourTool 2: Clearance Rates

Lubbock County



CourTool 2: Clearance Rates

Lubbock County



CourTool 2: Clearance Rates Lubbock County

CourTool 2: Clearance Rates	Difference Yr 1- Yr 2
District Court	108% to 113%
County Court at Law Civil	97% to 96%
Felony Criminal	115% to 112%
Misdemeanor Criminal	110% to 123%
Family Law	93% to 92%
Juvenile	125% to 144%

Lubbock Strategies

Strategy 4: The Courts commit to maintain attention on clearing any remaining backlog, focusing specifically on criminal, County Court at Law civil, juvenile and family law case types. Specific efforts will be made to resolve the juvenile backlog as quickly as possible.

Strategy 5: The Courts commit to work with the District Attorney's Office to establish greater court control over juvenile cases that will allow the court greater flexibility to monitor and dispose of cases in a timely manner.
(continued goal from Year 1 report).

CourTool 3: Time to Disposition

- **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.

CourTool 3: Time to Disposition

Lubbock County

CourTool 3: Time to Disposition	Difference Yr 1 – Yr 2
District Civil Level 1	83% to 83%
District Civil Level 2	87% to 96%
District Civil Level 3	84% to 88%
Felony Criminal (assuming all are level 2 cases)	74% to 90%
Misdemeanor Criminal	58% to 66%

Lubbock County Court Strategies

Year 1 Strategy that was adopted:

The board of Judges will review and modify the Local Rules to establish a case level system (Level 1, Level 2 and Level 3) for felony cases that allows the Courts to determine case levels from the filing of a case, rather than at the end of a case.

(Continued goal from Year 1 report.)

CourTool 4: Age of Active Pending Caseload

- **Definition:** The age of the active cases pending before the court, measured as the number of days from filing until the time of measurement.
- **Purpose:** Knowing the age of the active cases pending before the court is most useful for addressing three related questions:
 - 1. Does a backlog exist?***
 - 2. Which cases are a problem and require court action?***
 - 3. Which cases are approaching/beyond time standards?***

CourTool 4: Age of Active Pending Caseload Lubbock County

CourTool 4: Age of Active Pending Caseload	Difference Yr 1 – Yr 2
District Civil Level 1	80% to 87%
District Civil Level 2	78% to 87%
District Civil Level 3	90% to 99%
Felony Criminal (assuming all are level 2 cases)	85% to 87%
Misdemeanor Criminal	73% to 77%

Lubbock County Court Strategies

Strategy 6: In conjunction with the Lubbock County Information Systems department, the Courts will establish an automated monitoring method for court staff and judges to see the age of a pending case and the time to disposition of cases at any time.
(Continued goal from Year 1 report.)

Strategy 7: All Courts will review their individual scheduling mechanisms to ensure that all cases are disposed within the established case processing standards. Specifically, the Courts will ensure that cases are reviewed immediately after filing for assignment to a specific track and scheduling based upon the guidelines for that track. *(Continued goal from Year 1 report.)*

Strategy 8: The Courts handling misdemeanor cases will evaluate and focus specific attention on their scheduling mechanisms to ensure that cases are disposed within the established case processing standards.

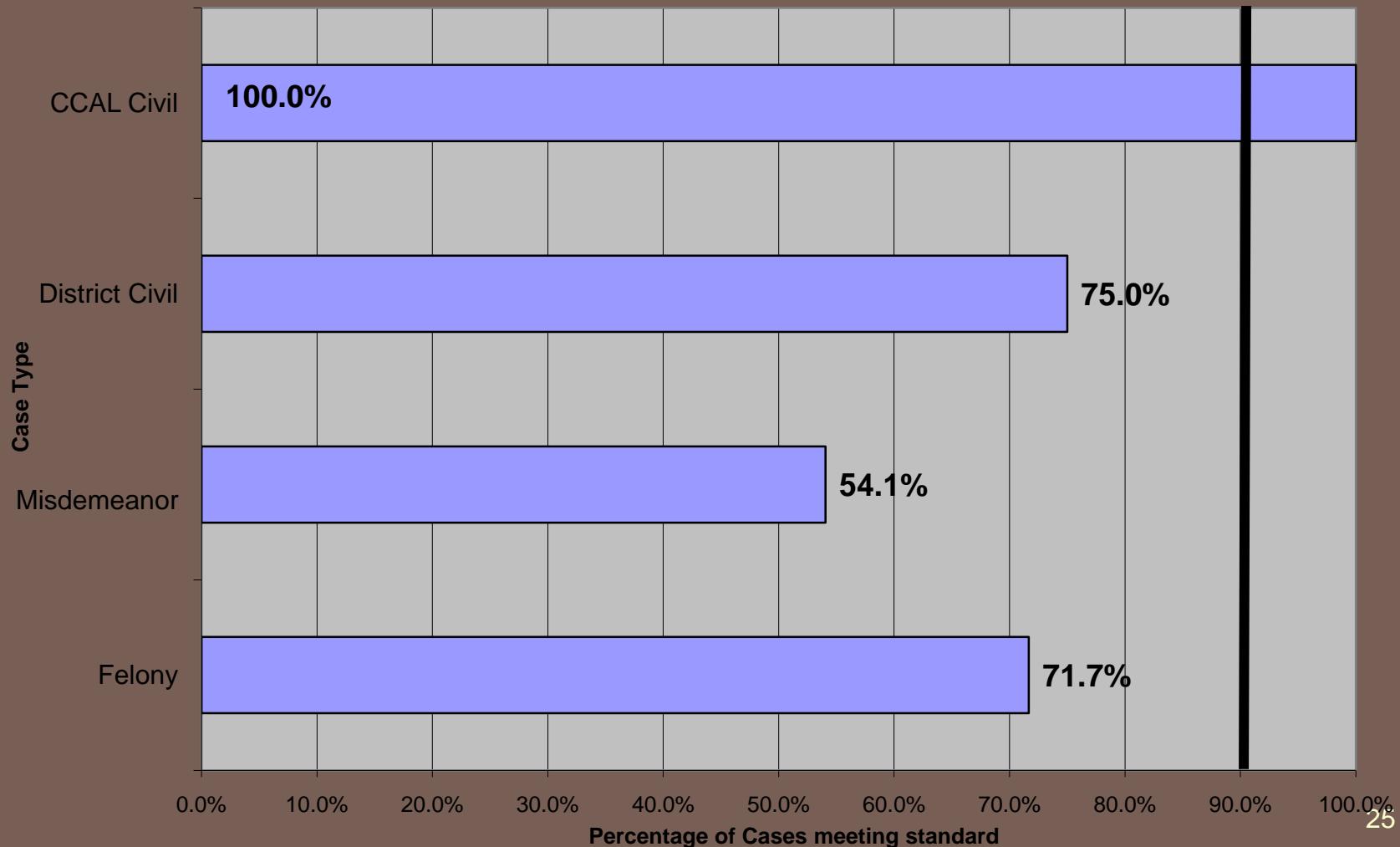
CourTool 5: Trial Date Certainty

- **Definition:** The number of times cases disposed by trial are scheduled for trial.
- **Purpose:** A court's ability to hold trials on the *first date they are scheduled* to be heard (trial date certainty) is closely associated with timely case disposition. This measure provides a tool to *evaluate the effectiveness of calendaring and continuance practices*. For this measure, “trials” includes jury trials, bench trials, and adjudicatory hearings in juvenile cases.

CourTool 5: Trial Date Certainty

Lubbock County

Jury Trial Date Certainty



CourTool 5: Trial Date Certainty

Lubbock County

CourTool 5: Trial Date Certainty	Difference Yr 1 – Yr 2
<u>Jury Trials:</u> District Civil County Court at Law Civil Felony Criminal Misdemeanor Criminal	83% to 80% 67% to 100% 77% to 53% 50% to 45%
<u>Bench Trials:</u> Civil Felony Criminal Misdemeanor Criminal Family	70% to 87% 90% to 100% 50% to 33% 74% to 77%

CourTool 5: Trial Date Certainty

Lubbock County

Case Type	Trial Type	Average Number of Settings
District Civil	Jury	2.2
Co Court at Law Civil	Jury	1.6
	Bench	1.4
Felony	Jury	2.8
	Bench	1.4
Misdemeanor	Jury	3.5
	Bench	3.1
Family	Jury	3.0
	Bench	1.9

Lubbock Strategies

Strategy 9: The Courts will draft a consistent, written trial continuance policy that will assist the Courts in controlling continuances. (Continued goal from Year 1 report.)

Strategy 10: The Courts hearing criminal cases and/or family law cases will review their trial date scheduling practices to ensure that cases are able to be reached on the first or second trial setting. (Continued goal from Year 1 report.)

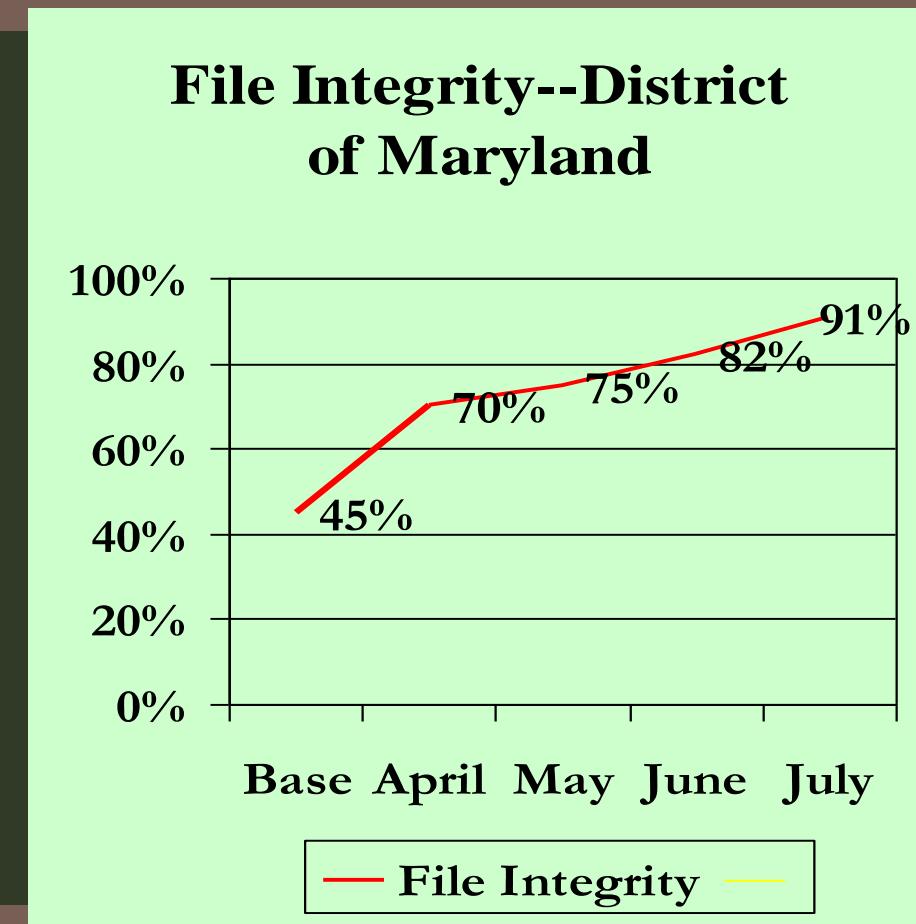
CourTool 6: Reliability/Integrity of Case Files

- **Definition:** The percentage of files that can be retrieved within established time standards, and that meet established standards for completeness and accuracy of contents.
- **Purpose:** A reliable and accurate case file system is fundamental to the effectiveness of day-to-day court operations and fairness of judicial decisions. The maintenance of case records directly affects the timeliness and integrity of case processing. This measure provides information regarding:
 - (a) *how long it takes to locate a file,*
 - (b) *whether the file's contents and case summary information match up, and*
 - (c) *the organization and completeness of the file.*

CourTool 6: Reliability & Integrity of Case Files

U.S. Bankruptcy Court

- 7 Elements of File integrity selected
- File Maintenance Checklist
- Baseline data
- Participatory goals
- Interval measurement
- Feedback and Rewards



CourTool 7: Collection of Monetary Penalties

- **Definition:** Payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases.
- **Purpose:** Integrity and public trust in the dispute resolution process depend in part on how well court orders are observed and enforced in cases of noncompliance. In particular, *restitution for crime victims and accountability for enforcement of monetary penalties imposed on criminals are issues of intense public interest and concern.* The focus of this measure is on *the extent to which a court takes responsibility for the enforcement of orders requiring payment of monetary penalties.*

CourTool 7: Collection of Monetary Penalties

Lubbock County

Percent compliance through monetary collections	Overall compliance (including jail & work conversion)	Average number of days to satisfy ordered collection
78%	93%	30.2 days

$\frac{3}{4}$ assessed paid in \$\$	Additional 15% paid in Jail & work conversion	Days to satisfy lower than expected
-------------------------------------	---	-------------------------------------

Lubbock Strategies

Strategy 11: The Courts will monitor the overall compliance rate to ensure it remains at a high level and will attempt to limit the amount of time offenders are spending in jail to sit out costs.

CourTool 8: Effective Use of Jurors

- **Definition:** Juror Yield is the number of citizens selected for jury duty who are qualified and report to serve, expressed as a percentage of the total number of prospective jurors available. Juror utilization is the rate at which prospective jurors are used at least once in trial or voir dire.
- **Purpose:** The percentage of citizens available to serve relates to the integrity of source lists, the effectiveness of jury management practices, the willingness of citizens to serve, the efficacy of excuse and postponement policies, and the number of exemptions allowed. *The objective of this measure is to minimize the number of unused prospective jurors—the number of citizens who are summoned, qualified, report for jury service, and who are not needed.*

CourTool 8: Effective Use of Jurors

Lubbock County

DATA ELEMENT	TOTAL ON MONDAYS	TOTAL ON TUESDAYS	TOTAL ON WEDNESDAYS	TOTAL - ALL DAYS
Summons Sent	42,510	5,747	21,219	71,226
Postponed to Serve this Period	6,648	1,156	3,328	11,370
Told Not to Report	0	0	0	0
No Show	6,745	1,111	3,296	11,764
Undeliverable	9,143	1,094	4,566	15,040
Disqualified	4,042	501	2,019	6,697
Exempt	8,911	1,180	4,370	14,742
Excused	142	17	140	308
Postponed to Future	7,621	1,127	3,699	12,759
Total Potentially Available to Serve	49,158	6,903	24,547	82,596
Total Not Available to Serve	36,613	5,030	18,090	61,310
Total Serving	12,554	1,873	6,457	21,286
Juror Yield	25.5%	27.1%	26.3%	25.8%

CourTool 8: Effective Use of Jurors

Lubbock County

Juror Utilization Measurement	Percentage
Percent Selected as Jurors	12.3%
Percent Sent for Jury Selection	49.7%
Percent Sent to Courtroom and Utilized	65.5%

CourTool 8: Effective Use of Jurors

Lubbock County

Court Level	Suggested Panel Size
Justice Courts	12
County Court at Law – Criminal Misdemeanor	18
County Court at Law – Civil	13
District Court – Criminal Felony	48
District Court – Civil	35
Domestic Relations	28
Grand Jury	19

Lubbock Strategies

Strategy 12: The Central Jury Pool, in conjunction with the courts, should monitor the no show rate of potential jurors to ensure that further action is not necessary. No show rates under 15 percent should be seen as acceptable. Should no show rates rise above 15 percent, the courts should consider taking further action.

Strategy 13: The Central Jury Pool should seek funding from the Lubbock County Commissioner's Court to allow for the source list addresses to be updated monthly using the United States Postal Service's National Change of Address Database (NCOA).

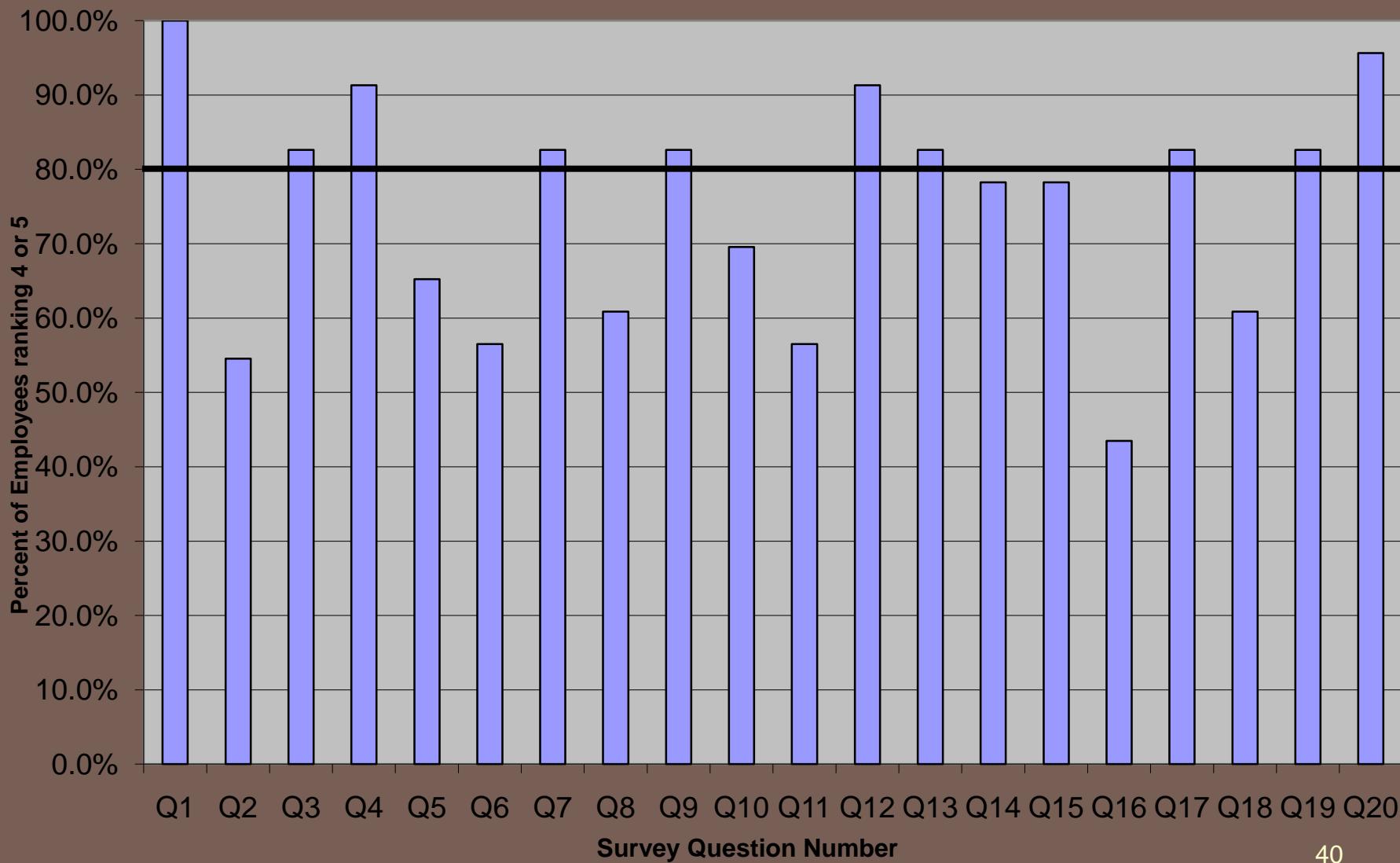
Updating the addresses on a monthly basis will ensure that the most accurate addresses are utilized when mailing summons, thereby reducing the number of undeliverable summonses. The historical cost of the service has been approximately \$400 per retrieval. Running the NCOA updates monthly would require an increase in the jury budget from the current \$1,650 to approximately \$5,000.

CourTool 9: Court Employee Satisfaction

- **Definition:** Ratings of court employees assessing the quality of the work environment and relations between staff and management.
- **Purpose:** Committed and loyal employees have a direct impact on a court's performance. This measure is a powerful tool for *surveying employee opinion on whether staff have the materials, motivation, direction, sense of mission, and commitment to do quality work*. Knowing how employees perceive the workplace is essential to *facilitate organizational development and change, assess teamwork and management style, enhance job satisfaction, and thus improve service to the public*.

CourTool 9: Court Employee Satisfaction

Lubbock County



Lubbock Strategies

Strategy 24: The Courts will develop a better method for intradepartmental communication. More frequent staff meetings and communication mechanisms may be beneficial. The Courts will work to develop a method for communication with Court Reporters, who are currently not on the County e-mail system. (Continued goal from Year 1 report.)

Strategy 25: The Courts will establish an appropriate performance management process for Court employees that provides feedback to employees and allows employees to provide feedback on the Court system. This process will allow more frequent feedback between staff and judges/supervisory staff. (Continued goal from Year 1 report.)

CourTool 10: Cost Per Case

- **Definition:** The average cost of processing a single case, by case type.
- **Purpose:** Monitoring cost per case, from year to year, provides a practical means to evaluate existing case processing practices and to improve court operations.
Cost per case forges a direct connection between how much is spent and what is accomplished. This measure can be used to assess return on investment in new technologies, reengineering of business practices, staff training, or the adoption of “best practices.”

CourTool 10: Cost Per Case

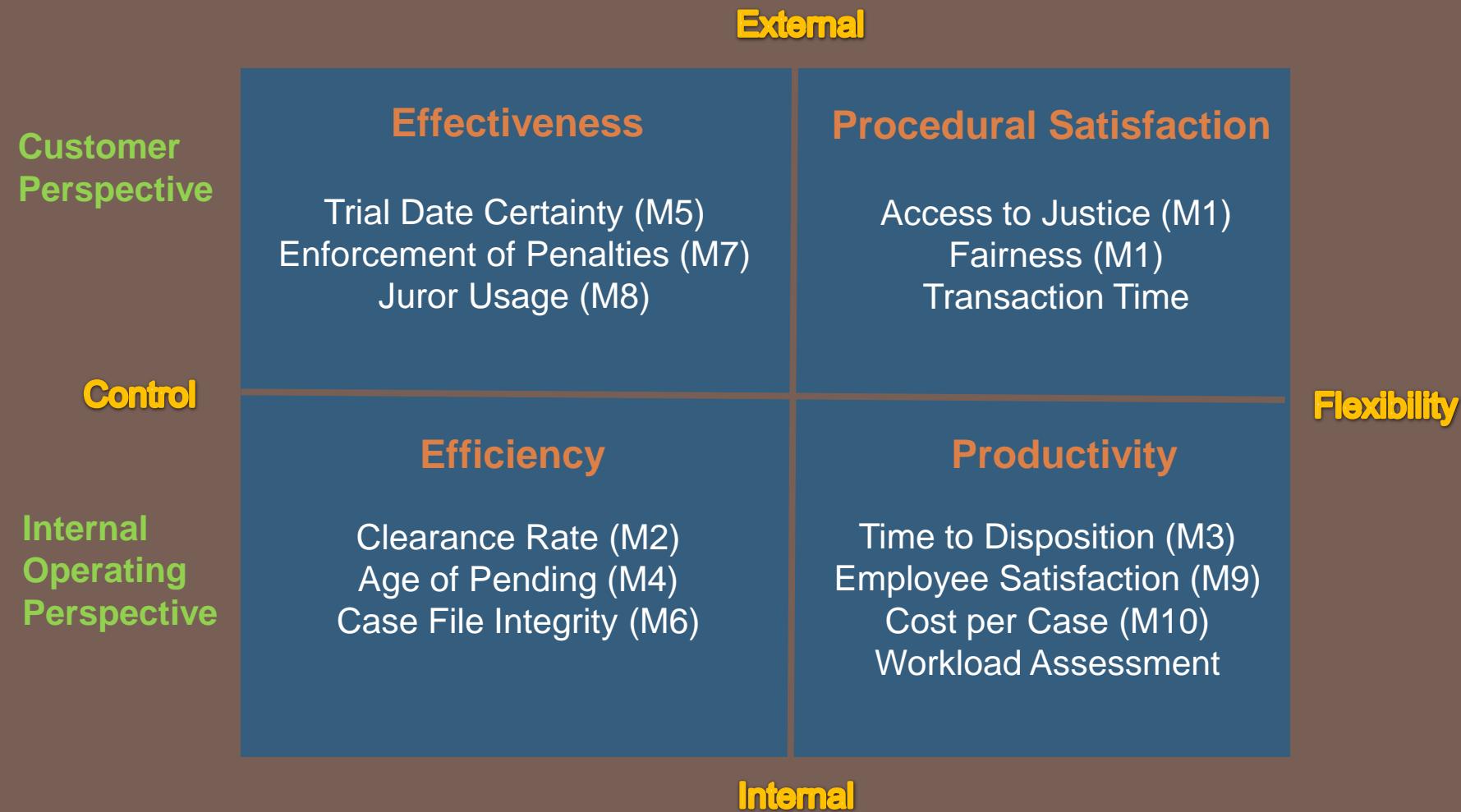
Lubbock County

CourTool 10: Cost Per Case	Difference Yr 1 – Yr 2
District Civil	\$290.65 to \$322.55
County Court at Law Civil	\$103.14 to \$102.12
Felony Criminal	\$116.28 to \$118.96
Misdemeanor Criminal	\$66.31 to \$59.33
Family Law	\$70.36 to \$69.91
Juvenile	\$148.00 to \$123.05

Lubbock Strategies

Strategy 26: The Courts should participate and utilize the data from the Texas Weighted Caseload Study being conducted by the Texas judiciary

Trial Court High Performance *Balanced Scorecard*



6-Step Implementation Process

Step 1: Getting Started

- What does the county hope to get out of performance measurement?
- What are the key ingredients in achieving a successful measurement system?
- In what ways does the county currently measure its performance?
- How does the county expect to use the results?
- Who is the audience for the results?

6-Step Implementation Process

Step 2: Review Feasibility & Utility

- How feasible are the measures?
- How clear are the *measures*?
- How are the performance data to be gathered?

6-Step Implementation Process

Step 3: Specificity of Measures

- What categories of cases/data should be used?
- Is desired information supported by the automated data processing system?
- How are participants in the process to be classified in terms of their role, position, and legal status?
- What sorts of distinctions in the types of employees are essential to examine?

6-Step Implementation Process

Step 4: Apply & Test Measures

- Should a county strive to implement performance measures all at once?
Sequentially? Prioritized?
- How does the county best coordinate the data collection effort?

6-Step Implementation Process

Step 5: Review & Interpret Results

- How are data assembled for presentation?
- What do the results say?
- How are critical relationships to be highlighted?
 - ◆ Baselining & Benchmarking
 - ◆ Trend Spotting
 - ◆ Problem Diagnosis
 - ◆ Operational & Strategic Management

6-Step Implementation Process

Step 6: Use – Refine – Institutionalize

- Is the ***right information*** getting to the ***right people*** at the ***right time***?
- Does the presentation of performance data effectively communicate the results?

County Culture Exercise

County Culture

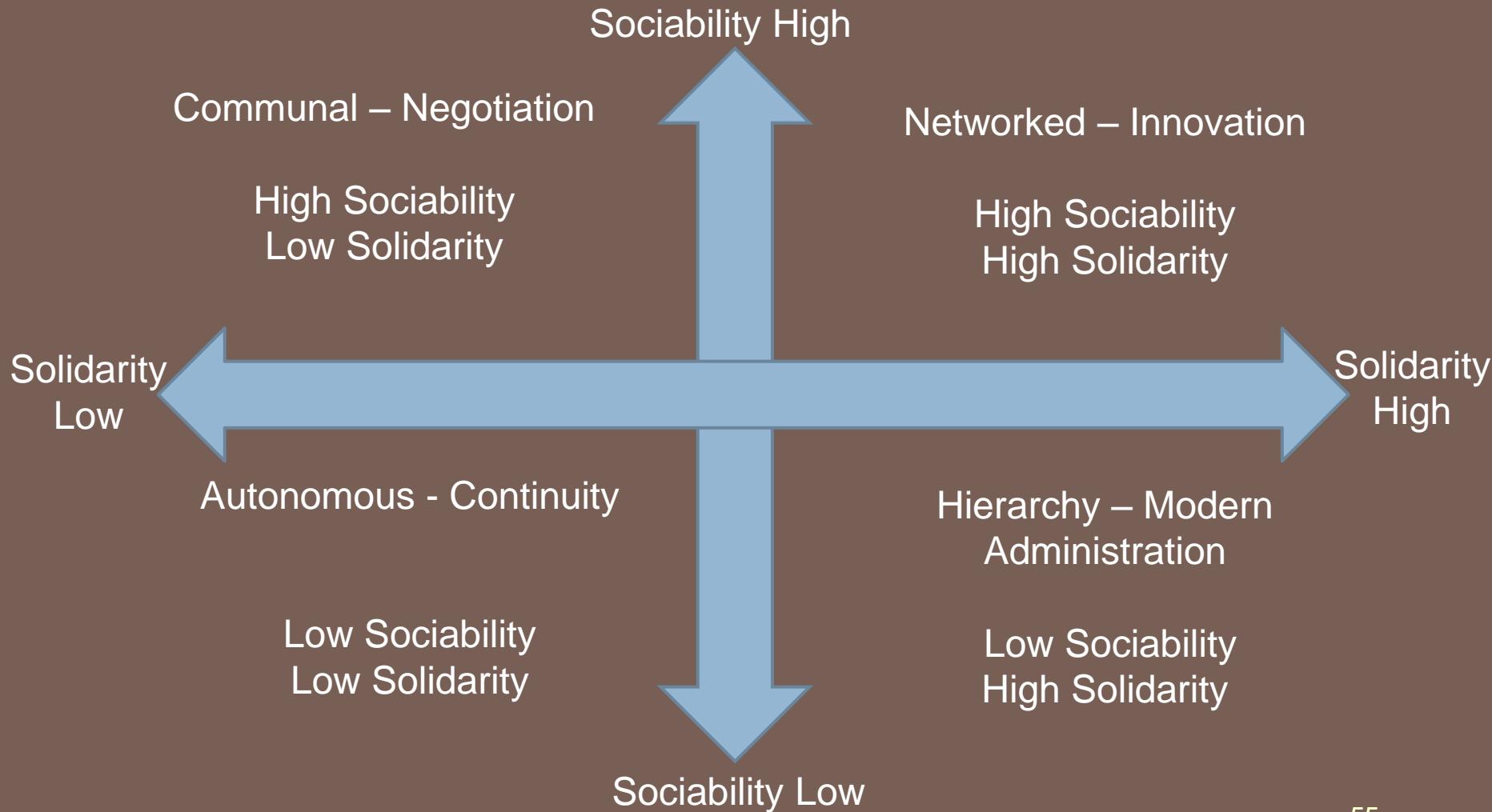
- County Culture includes:
 - Norms
 - Values
 - Expectations
 - Communication Patterns
 - Power Relationships

“How Things Get Done Around Here”

Dimensions of Culture

- **Solidarity** – the degree to which a country has clearly understood shared goals, mutual interests and common tasks
- **Sociability** – the degree to which people are able to work together in a cordial fashion

County Culture in relation to Change



County Culture in relation to Change



What are the Challenges Counties Face?

1. Deficiencies in the data
2. Cooperation of county government partners needed
3. Business processes need to be standardized
4. Elected officials need to be involved
5. Communicating results to whole county is key
6. Shift in organizational culture required so that empirical data informs policies and drives management decisions

What Benefits do Counties See?

- Measures provide actionable information
- The public appreciates being asked
- Staff and elected officials energized to provide solutions
- Comparability with similar counties
- Measures develop a shared perspective on the county

QUESTIONS?

DAVID SLAYTON

806-775-1020

DSLAYTON@CO.LUBBOCK.TX.US