JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT BUDGET
ADVISORY COMMITTEE

COURT EXECUTIVES ADVISORY COMMITTEE

JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

MATERIALS FOR AUGUST 10, 2018

Meeting Contents

JUDICIAL COUNCIL OF CALIFORNIA

COURT EXECUTIVES ADVISORY COMMITTEE

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COURT EXECUTIVES ADVISORY COMMITTEE

JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

Date:	August 10, 2018
Time:	11:00 a.m. - 12:00 p.m.
Public Call-in Number:	1-877-820-7831 Pass Code: 4914400 (Listen Only)

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to ceac@jud.ca.gov.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to ceac@jud.ca.gov or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Mr. Chris Belloli. Only written comments received by 11:00 a.m. on August 9, 2018, will be provided to advisory body members prior to the start of the meeting.

III. Discussion and Possible Action Items (Items 1–4)

Item 1

Update on Dispute Resolution Process
(No Action Required)
Receive an update on the development and implementation of a new dispute resolution process.

Presenter(s)/Facilitator(s):   Mr. Jake Chatters, Chair, JBSIS Subcommittee

Item 2

Court Data Quality Procedures and Amending JBSIS Reports
(No Action Required)
Review the first draft of possible internal data quality procedures for courts as part of their regular JBSIS reporting responsibilities.

Presenter(s)/Facilitator(s):   Mr. Jake Chatters, Chair, JBSIS Subcommittee

Mr. Bryan Borys, Superior Court of California, County of Los Angeles

Ms. Liane Herbst, Superior Court of California, County of Los Angeles

Item 3

Update on Implementation Activities for Reporting Revised JBSIS Standards
(No Action Required)
Receive an update on ongoing implementation activities and coordination with case management system (CMS) vendors for the revised JBSIS data standards.

Presenter(s)/Facilitator(s):   Mr. Chris Belloli, Supervising Analyst, Judicial Council, Budget Services, Office of Court Research

Ms. Heather Petit, Principal Manager, Judicial Council, Information Technology

Item 4

Update on Revised JBSIS Implementation Manual v3.0
(No Action Required)
Receive an update on some of the design and layout changes being considered for the JBSIS Implementation Manual v3.0 that incorporate the revised JBSIS data standards developed by the JBSIS Subcommittee.

Presenter(s)/Facilitator(s):   Mr. Chris Belloli, Supervising Analyst, Judicial Council, Budget Services, Office of Court Research

Ms. Noor Singh, Associate Analyst, Judicial Council, Budget Services, Office of Court Research

IV.   ADJOURNMENT

Adjourn

Court Data Quality Procedures and Amending JBSIS Reports

Draft Proposal for Consideration by the JBSIS Subcommittee of CEAC

August 10, 2018

Bryan Borys and Liane Herbst, Los Angeles Superior Court

On April 17, 2018, Judge David Rosenberg, Chair of the Advisory Committee on Audits and Financial Accountability, wrote to Kimberly Flener, Chair of the Court Executives Advisory Committee, asking for the assistance of CEAC's JBSIS Subcommittee to address various needed amendments to the JBSIS rules. At the request of the Subcommittee, we write in response to two of Judge Rosenberg's queries: amending inaccurate JBSIS reports, and local efforts at quality assurance.

This note is in the form of guidelines suitable for inclusion in the JBSIS Manual, where they are authorized implicitly by CRC 10.400, which mandates JBSIS compliance. Alternatively, in whole or in part, what follows could be written in form of Rules of Court or Standards of Judicial Administration. We believe that putting them in context, in the JBSIS Manual, is most helpful.

Part 1: Errors and Amendments

> *From the Audit Committee: The Judicial Council's JBSIS Manual (ver. 2.3; December 2009) does not require courts to correct JBSIS data, and does not define when a court's data would be sufficiently flawed so as to require an amended report. Appendix D of the manual is permissive and generally states that courts "may amend data if they find the original file submission was not accurate." However, with courts reporting tens of thousands of cases a year (or more), it is unlikely that any court will always report every case type accurately. Having a branch-wide standard on data accuracy could assist courts in determining when their JBSIS reporting must be corrected versus when the errors uncovered are either tolerable and/or de minimis.*

There is a presumption that JBSIS filings data[1] will be accurate, particularly since annual appropriations are based in part upon them. While the work of the Audit Committee in auditing JBSIS submissions is a significant source of information about the accuracy of JBSIS data, it is not the only one. Courts have broader obligations to assess data quality and remedy errors, as described below.

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[1] Unless other indicated, the word *JBSIS* refers not only to data reporting made through automated JBSIS reporting, but also reporting made through the JBSIS Portal.

Error discovery

Known errors that result from any one of the following must be addressed as described in this section:
1. Documented errors in the audit report;
2. The results of the annual data quality review by the Office of Court Research;
3. Findings and results of local QA efforts as described further in the section below;
4. Ad hoc error discovery: Errors that are discovered in the normal course of business by court staff and judicial officers must be appropriately addressed per this section.

Error quantification

The *size* of the error, relative to the size of the filings that it affects, is an important consideration. When an error is encountered, the Court has an obligation to estimate it:

1. The Court should make a good faith estimate of the number of filings that are expected to be in error in a year (whether the error results in over-reported, or under-reporting).
2. The appropriate way to measure the error rate is to consider each source of error separately. It is misleading to calculate the *net* rate (e.g., the net of over- and under-reporting of filings).
3. The appropriate unit of observation is the case type, as defined by the columns of either the JBSIS or Portal data matrices.
4. Thus when an error is found, the error rate should be calculated by: the annual number of expected errors, divided by the annual total filings reported for that case type.
5. If more than one type of error is found in a single case type, the cumulative error rate should be calculated (with both over-reporting and under-reporting counting as positive counts of error).
5. For any single source of error, if the error rate is estimated to be less than 2%,[2] the error is considered tolerable error.
6. For annual JBSIS reporting, no single case type shall contain more than 2% known errors.

Error diagnosis and prevention

The Court's obligation to provide accurate data goes beyond remedying the erroneous report: the Court should take affirmative steps to diagnose the source of the error and to prevent making it in the future. Intolerable errors should be studied to determine the root cause.

1. Intolerable intermittent user errors should result in a training plan for court staff that addresses the errors.

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[2] NB: The Judicial Council's adopted implementation rules for WAFM distinguish between courts that are over-funded and under-funded by 2%. While the present discuss concerns a *subset* of a court's RAS or WAFM need, we take the 2% rule as a reasonable guideline for tolerable error.

2. Any intolerable error with a root cause in written policies, procedures, guidelines, desk manuals, etc., should result in appropriate amendments to those documents.
3. Any intolerable error with a root cause in technology **must** result in a plan to address the error.

Error amendment

Using burdensomeness as a criterion for allowing a court not to amend data provides a perverse incentive for courts to avoid automated reporting. All courts must amend reports containing intolerable errors of more than 2%.[3]

Courts must amend intolerable errors prior to the reporting deadline at which the affected fiscal year's data become part of the dataset to be included in the RAS model (a date determined each year by the Office of Court Research). If the root cause analysis indicates that the source of the error is not unique to the most recent fiscal year, any amendments must be made to all three fiscal years that pertain to the upcoming RAS model calculations.

There is a presumption that data quality improves, rather than degrades, over time. Thus Courts should provide the most recent data. Courts with fully automated JBSIS reporting must re-submit filings data for the previous three fiscal years, each year on a date to be determined by the JCC.[4]

Part 2: Quality Assurance

> *From the Audit Committee: The JBSIS Manual does not provide guidance to the courts on what data quality control practices they must or should follow prior to report submission. As a result, courts likely vary in the degree to which they scrutinize their data prior to reporting to JBSIS. As noted in the enclosed audit finding, the court's staff noted they did not have a process to reconcile the cases they had deleted from the court's CMS with the case counts they had reported to JBSIS previously. Providing courts with a checklist or other mandatory and suggestive data quality control procedures could enhance overall data quality in JBSIS.*

Courts will vary widely in their capacity for quality assurance (QA). Baseline QA is ensured by the error-trapping and -correction requirements outlined in the previous Part. The ideas in this Part are much more along the lines of an initial draft of best practices that should be subject to

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[3] We think that this is not a harsh pronouncement, since the obligation has long existed: JBSIS reporting requirements have existed for decades; JBSIS filings data were used for allocation decisions as long ago as 2006; and they became standard in 2013. Fair notice has been given.
[4] This requirement will be suspended in any year in which changes render it infeasible – for instance, in the years in which courts transition from JBISIS Manual version 2.3 to version 3.0.

discussion and change as courts learn more about JBSIS QA. They might best be posted on the JBSIS website by the Office of Court Research.

A note on local statistical practices

Courts may have good reason to create local statistical reports that deviate from the JBSIS definitions. For instance, while civil harassment filings are reported under civil, a court may process them in the family law courts and thus may include those cases in a local family law case management report. Nonetheless, each court must ensure that the JBSIS definitions are adhered to in JBSIS reporting. Thus we recommend that each Court have staff who are "fluent in JBSIS," even if deviations are sometimes implemented.

For Portal courts

1. Periodically review the data extracts that provide source data for Portal entries to ensure that they comply with the JBSIS Manual.
2. Double-check data entries before submission.

For JBSIS courts

1. Review the JBSIS mapping documentation for their CMS to check for compliance with the JBSIS Manual (this should be done by court staff, not only by the CMS vendor).[5]
2. Periodically compare results in the JBSIS Data Warehouse with ad hoc data extracts directly from the CMS.

For all courts

Systematic review of JBSIS reports is not the only useful form of diligence. Curiosity – and being open to finding and preventing errors – is often the most fruitful QA effort, particularly with newly implemented case management systems and practices.

1. Establish a Data Quality Assurance Plan that recognizes two stages to QA:
   a. CMS entries must reflect the actual state of the case (e.g., cases that have been disposed have the appropriate disposition entry);
   b. Data reports, especially the JBSIS report, must reflect CMS entries.
2. Adopt a posture of find-and-prevent: Establish a practice that when court staff or judicial officers notice data problems in the normal course of business:
   a. There is a central place to report them to, so that patterns can more easily be discovered; and

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[5] The Working Group should consider whether it is desirable and feasible for courts to exchange JBSIS mapping documentation.

    b. Management is made aware of the problems so they can adjust training, documents, and other management tools to prevent the problems from reoccurring.

3. Ensure that written procedures, guidelines, FAQs and other appropriate documents reflect JBSIS rules – and that, whenever local deviations are used, written documentation makes those deviations clear and understandable.

4. Train court staff on the JBSIS rules so that the language of JBSIS becomes widely used. This practice helps to reduce data entry errors (for instance, so that a data-entry clerk understands the implications of docketing a document as a new filing).

5. Use the JBSIS report results to double-check other statistical reports used by the Court.

6. Establish routine production and review of *exception reports* that identify common indicators of potential errors, such as the following:
    a. Cases with no future hearing date;
    b. Cases that have a disposing event concluded (e.g., a judgment), but which appear as pending;
    c. Cases with no activity within the past X months;
    d. Tests of whether a case has the right type of entry, given other data in the case (e.g., reports that check whether each Decedent's Estate case really is of that type);
    e. Routine comparison of periodic statistical reports against the previous version, to discover possible errors.

Perhaps Courts should share their exception reports on the JBSIS website.

The Judicial Council's use of RAS and WAFM has radically transformed the significance of JBSIS reporting. Accurate reporting is a fundamental, core obligation of each Court. Mandatory audits of JBSIS submissions are a crucial first step toward fulfilling that obligation. It is important for CEAC to take the lead in cultivating widespread quality assurance procedures, and the attitudes and practices that support them.

Layout Changes in JBSIS Manual 3.0

Chris Belloli, Judicial Council of California

Noor Singh, Judicial Council of California

Summary of Changes

- Information broken out in sections
- Separate section on Filings

Family Law - Report 06a

Overview

FAMILY LAW CASE TYPES represent a major classification category of cases involving family actions, such as marital actions (e.g., dissolution), custody matters, child support, parental rights, adoption, and other types of family law petitions and complaints. A case is the unit of count for family law and consists of the filing of a complaint or petition regardless of the number of defendants or respondents or causes of action listed in the complaint or petition.

Family case types are reported according to one of two data collection and reporting standards:

- Judicial Branch Statistical Information System (JBSIS): The JBSIS standards include a more detailed breakdown of cases by case type and disposition than the Portal, and include workload measures, such as the number of hearings
- Portal: The Portal standards include fewer case types, dispositions and workload measures than JBSIS. The Portal data elements can be mapped to the JBSIS data matrix, defined below

Filing

The beginning of a family law court case by formal submission of an initial petition or complaint or by the transfer-in of a case from another jurisdiction before the final disposition of the case. **Subsequent petitions or complaints filed in an existing case are not counted as a separate filing** with the following two exceptions for the Family Law report:

- Domestic violence: Report domestic violence cases as a separate filing even if they are processed as part of an existing case.
- Department of Child Support Services (DCSS): Report a DCSS filing when the Department of Child Support Services is party to a child support matter that is filed within an existing dissolution, parental relations, or other type of family law case.

JBSIS and Portal courts report filings in the following locations on the Family Law 06a report:
JBSIS: Filings are reported on row 200
Portal: Filings are reported on row A. Number of cases filed

Although there are different case type categories in JBSIS compared to the Portal, the overall types of family law filings reported should be the same in JBSIS and the Portal. In addition, the rules for counting family law filings in JBSIS and the Portal should be the same.

Case Type Mapping & Definitions

The JBSIS standards include a more detailed breakdown of cases by case type than the Portal but the rules for counting civil limited and civil unlimited filings in JBSIS and the Portal should be the same. The definition for certain more aggregate Portal case types would be made up of the individual definitions of several different types of case types reported in JBSIS. The association of the Portal case type definitions with those definitions for JBSIS case types is shown in the table below:

Portal	JBSIS
06 Dissolution	10 Dissolution with Minor Children
	40 Dissolution without Minor Children
07 Legal Separation	20 Legal Separation with Minor Children
	50 Legal Separation without Minor Children
08 Nullity	30 Nullity with Minor Children
	60 Nullity without Minor Children
65 Parentage	70 Establish Parental Relationship
75 Domestic Violence	80 Domestic Violence Prevention with Minor Children
	90 Domestic Violence Prevention without Minor Children
95 Department of Child Support Services (DCSS)	100 Department of Child Support Services (DCSS)
	110 Department of Child Support Services (DCSS)—UIFSA
125 Other Family Law Petitions and Complaints	120 Adoption
	130 Other Family Law Petitions and Complaints

Please see the following table for Casetype definitions:

Summary of Changes

- Case type mapping and definitions based on JBSIS, Portal, and RAS

Portal		JBSIS	
06	Dissolution	10	Dissolution with Minor Children
		40	Dissolution without Minor Children
07	Legal Separation	20	Legal Separation with Minor Children
		50	Legal Separation without Minor Children
08	Nullity	30	Nullity with Minor Children
		60	Nullity without Minor Children
65	Parentage	70	Establish Parental Relationship
75	Domestic Violence	80	Domestic Violence Prevention with Minor Children
		90	Domestic Violence Prevention without Minor Children
95	Department of Child Support Services (DCSS)	100	Department of Child Support Services (DCSS)
		110	Department of Child Support Services (DCSS)—UIFSA
125	Other Family Law Petitions and Complaints	120	Adoption
		130	Other Family Law Petitions and Complaints

RAS Case Category	Portal	JBSIS
Family Law - Marital	Dissolution of Marriage Legal Separation Nullity of Marriage	Dissolution with Minor Children Dissolution without Minor Children Legal Separation with Minor Children Legal Separation without Minor Children Nullity with Minor Children Nullity without Minor Children
Parentage	Parentage	Establish Parental Relationship
Domestic Violence	Domestic Violence	Domestic Violence with Minor Children Domestic Violence without Minor Children
Child Support	Department of Child Support Services (DCSS)	Department of Child Support Services (DCSS) Department of Child Support Services (DCSS)—UIFSA
Other Family Law	Other Family Law Petitions and Complaints Dependency Adoption (Juvenile Dependency Report 09a)	Adoption Other Family Law Petitions and Complaints Dependency Adoption (from Juvenile Dependency Report 09a)

Summary of Changes

- Live FAQ Section

Frequently Asked Questions & General Guidelines

This section addresses frequently inquired data entry questions and provides guidance on the best practices. Additionally, this section is regularly updated to reflect the most recent questions and recommendations provided by the Judicial Council.

Filings – What/How To ☑

- For a case **transferred in from another jurisdiction**, a new filing is counted only if the transfer occurs before the case reaches final disposition, which would be when the case has received a judgment, been dismissed, or is otherwise disposed.

- **Domestic violence cases**: Report domestic violence cases as separate filings and dispositions (JBSIS column 80 or 90; Portal column 75) even if they are processed as part of an existing case.

- **Department of Child Support Services (DCSS)**: Report a single filing when DCSS is party to a child support case (JBSIS column 100 or 110; Portal column 95) even if it is processed as part of an existing case. Only a single DCSS filing should be counted when DCSS first enters as party to the child support matter through the filing of a complaint (form FL-600), a Statement for Registration of California Support Order (form FL-650), or a Notice Regarding Payment of Support (FL-632).

Family Law – Data Matrix Breakdown

Family Law – CASELOAD/CASEFLOW

CASELOAD/CASEFLOW (unit of count = case) A case is the unit of count and consists of the filing of a complaint or petition regardless of the number of defendants or respondents or causes of action.

Family Law 06a - Data Matrix

Row	Case Type		Definition
	Portal	JBSIS	
50			
100		00 10–120 130	**beginning pending** The number of cases awaiting disposition before the first day of a reporting period.
200	05–08 125	10–120 130	**filing (+)** The beginning of a court case by formal submission of an initial petition or complaint or by the transfer-in of a case from another jurisdiction. *What/how to report*: Report only one filing even though a petition may contain more than one petitioner. *What/how not to report*: Do not include cases transferred in for postjudgment activity only. Report post judgment activity in workload.

Row	Case Type		Definition
	Portal	JBSIS	
			Portal: *Regulations on Statistical Reporting*, Form 1A, Part I., Number of cases filed.
300	05-08 125	00 10–120 130	**reopened (+)** A case that was previously reported as disposed but is resubmitted to a court. Examples: Reopening after the granting of a motion to vacate judgment, setting aside a dismissal, or reversal on appeal of judgment. *What/how to report*: Report one disposition for each reopened case. *What/how not to report*: • Do not report cases that were closed in error. Since beginning and end pending do not have to match, submit an amended report after the error is corrected. • Reopened cases are not aged.
400		00 100	**supplemental complaint filed (+)** The filing of a supplemental complaint by DCSS (form FL-600) regarding parental obligations (Fam. Code, § 2330.1). Note: Although supplemental complaints occur under other case types, JBSIS captures this information for DCSS cases only.
450		10–120 130	**existing case entered in CMS (+)** An initial family law petition/complaint not previously entered in the CMS and therefore not reported in pending. *What/how to report*: Report at the time an event is calendared and the case is entered in the CMS. *What/how not to report*: Do not include cases calendared for a postdisposition event only. Report postdisposition activity in workload.
460		00 10–120 130	**classification of pre-JBSIS case (−/+)** Classification of a pre-JBSIS case into a JBSIS civil case type requires two counts in the inventory section: