



# JUDICIAL COUNCIL OF CALIFORNIA

COURT EXECUTIVES  
ADVISORY COMMITTEE

[www.courts.ca.gov/ceac.htm](http://www.courts.ca.gov/ceac.htm)  
[ceac@jud.ca.gov](mailto:ceac@jud.ca.gov)

## COURT EXECUTIVES ADVISORY COMMITTEE

### JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

#### MATERIALS FOR SEPTEMBER 16, 2019

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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

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**Date:** September 16, 2019  
**Time:** 2:00 p.m. - 3:00 p.m.  
**Public Call-in Number:** 1-877-820-7831; passcode 279-7635 (Listen Only)

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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](mailto:ceac@jud.ca.gov).

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

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

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##### **Call to Order and Roll Call**

##### **Approval of Minutes**

Approve minutes of the May 20, 2019, of the Judicial Branch Statistical Information System Subcommittee of the Court Executives Advisory Committee meeting.

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

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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](mailto:ceac@jud.ca.gov) or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, California 94102, attention: Emily Chirk. Only written

comments received by 9:00 a.m., September 13, 2019, will be provided to advisory body members prior to the start of the meeting.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-3)**

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**Item 1**

**Annual Agenda (Action Required)**

Revise and confirm changes to the 2020 Court Executives Advisory Committee Annual Agenda pertaining to JBSIS.

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

**Item 2**

**Time to Disposition Standards Review (Action Required)**

Review current definitions and discuss project plan for making revisions as applicable

Presenter(s)/Facilitator(s): Ms. Leah Rose-Goodwin, Manager, Office of Court Research

**Item 3**

**Case Numbers and Data Quality**

As part of discussions about data quality, discuss merits of retaining case numbers to validate filings data submission.

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

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**IV. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Info 1**

**Questions from Courts on JBSIS Definitions**

Inform the subcommittee about questions received from the courts.

Presenter(s)/Facilitator(s): Ms. Emily Chirk, Senior Analyst, Office of Court Research

**Info 2**

**JBSIS v3.0 Certifications**

Update the subcommittee on the progress of certifying courts on JBSIS v3.0.

Presenter(s)/Facilitator(s): Ms. Leah Rose-Goodwin, Manager, Office of Court Research

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**V. ADJOURNMENT**

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**Adjourn**



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## COURT EXECUTIVES ADVISORY COMMITTEE JUDICIAL BRANCH STATISTICAL INFORMATION SYSTEM SUBCOMMITTEE

### MINUTES OF OPEN MEETING

May 20, 2019  
9:00 a.m. – 10:00 a.m.  
Teleconference

**Advisory Body Members Present:** Mr. Jake Chatters, Chair; Ms. Sherri R. Carter; Mr. Kevin Harrigan; Mr. Michael D. Planet; Ms. Kim Turner

**Advisory Body Members Absent:** Mr. Chad Finke; Ms. Rebecca Fleming; Mr. Michael M. Roddy

**Others Present:** Ms. Leah Rose-Goodwin; Ms. Emily Chirk; Mr. David Kukesh; Mr. Jonathan Sibayan; Mr. Bryan Borys; Ms. Liane Herbst

#### OPEN MEETING

##### Call to Order and Roll Call

The chair called the meeting to order at 9:01 a.m., and took roll call.

##### Approval of Minutes

The advisory body reviewed and approved the minutes of the March 20, 2019, Judicial Branch Statistical Information System Subcommittee of the Court Executives Advisory Committee meeting.

#### DISCUSSION AND ACTION ITEMS (ITEM 1-3)

##### Item 1

##### JBSIS Data Quality Control Standards

##### Action:

*The Chair provided the subcommittee with an update on the status of the Data Quality standards. The Chair reported that the item was on the Judicial Council agenda at the May 17, 2019 meeting and adopted by the Judicial Council to be added to the JBSJS v3.0 manual. The Chair clarified that four data elements are mandatory for amendments per the standards: filings, dispositions, trials, and time to disposition calculations.*

**Item 2**

**JBSIS v3.0 Manual Update**

**Action:**

*The Chair provided the subcommittee with an update on the status of the JBSIS v3.0 manual which was on the Judicial Council agenda at the May 17, 2019 meeting where it was approved. Staff informed the subcommittee that the manual was in the process of being posted to the JBSIS website. Feedback was solicited regarding the timeline of the JBSIS v3.0 rollout. The subcommittee recommended that a proposed timeline for future changes should be examined by the Court Executives Advisory Committee.*

**Item 3**

**JBSIS Questions and Answers**

**Action:**

*Staff compiled major questions received in the last month that might have been of interest to the subcommittee. The subcommittee discussed two issues listed in the JBSIS Questions and Answers. The first addressed the filing count of PC 1026 in the JBSIS v3.0 manual. The subcommittee determined that the definition should be changed to reflect that the filing count occurs at the filing of the 1026.5, not at the determination of not guilty by reason of insanity. Staff were tasked with creating a memo for the subcommittee regarding these definitional changes before presenting it to the Court Executives Advisory Committee.*

*The subcommittee also discussed whether an appeal on a judge's denial of a motion to vacate was considered a Small Claims Appeal filing. The subcommittee agreed with the staff response provided and add that in the event the appeal is granted, then a new filing count is received because there is a trial de novo.*

**Item 4**

**Time to Disposition Standards**

**Action:**

*The subcommittee discussed the materials presented regarding time to disposition standards in other states. The subcommittee determined that following the National Center for State Court time standards would be the ideal. The subcommittee decided to pursue corrections for felony, small claims, and juvenile which would require the coordination with various committee. Staff were tasked with creating a project plan to achieve changes, a timeline, and what the definitions would be.*

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 9:54 a.m..

Approved by the advisory body on enter date.

<p><b><i>REVISE/CONFIRM INFORMATION FOR 2020 ANNUAL AGENDA</i></b></p> <p><b><i>Project Title: Judicial Branch Statistical Information System Subcommittee</i></b></p>	
<p><b><i>Project Summary:</i></b> CEAC will continue to provide oversight responsibility over JBSIS through the JBSIS Subcommittee. JBSIS is authorized through California Rules of Court, rule 10.400, and CEAC has oversight responsibility of JBSIS as defined in rule 10.48, which governs CEAC.</p> <p>The subcommittee identified the following projects:</p> <p><b>Ongoing Review and Revisions of JBSIS Reporting Standards</b>  CEAC will continue to review and seek input from courts on the recent revisions to the filing definitions and recommend additional revisions as needed. CEAC will also identify additional areas in JBSIS for review that will be important for branchwide budget advocacy efforts, monitoring court operations, and workload analysis. This work would include an evaluation of the appropriate types and amount of data that should be collected in JBSIS.</p> <p><b>Strengthening Data Governance Principles for JBSIS Reporting</b>  The <i>JBSIS Implementation Manual</i> currently contains the data standards, definitions, reporting rules, and technical specifications for JBSIS reporting. The CEAC JBSIS Subcommittee will work on adding new components to the JBSIS manual that will document some of these new data governance principles for JBSIS to provide greater transparency and confidence in JBSIS data. The JBSIS Subcommittee will also provide input to the Judicial Council’s Statistics and Information Unit as they develop additional procedures and guidance for courts as part of their regular JBSIS reporting.</p> <p>The following are areas of ongoing work or planned for the upcoming year:</p> <ul style="list-style-type: none"> <li>• Create a public database with ongoing JBSIS Q&amp;A and technical assistance provided by the Judicial Council’s Court Research for greater transparency and consistency in guidance provided to courts; and</li> <li>• Provide ongoing input to Judicial Council’s Audit Services on JBSIS filing audits.</li> </ul> <p><b><i>Status/Timeline:</i></b> Ongoing.</p> <p><b><i>Fiscal Impact/Resources:</i></b> Audit Services, Information Technology, Judicial Council and Trial Court Leadership, and Court Research.</p> <p><b><i>Internal/External Stakeholders:</i></b> Superior courts and case management system vendors.</p> <p><b><i>AC Collaboration:</i></b> None.</p>	
<p><b><i>ANY 2019 PROJECT HIGHLIGHTS AND ACHIEVEMENTS?</i></b></p> <ul style="list-style-type: none"> <li>• JBSIS Dispute Resolution Process: The subcommittee drafted a JBSIS Dispute Resolution Process to standardize responses to disagreements on JBSIS definitions. The proposal received CEAC approval at the August 2018 Statewide TCPJAC/CEAC meeting and was approved by the Judicial Council during the November 30, 2018 meeting.</li> <li>• Data Quality Control Standards: The subcommittee created guidelines for courts on how and when to report and amend JBSIS data. These guidelines were approved by CEAC at their February 2019 and was approved by the Judicial Council during the May 17, 2019 meeting.</li> </ul>	

Data Elements Published in the Court Statistics Report  
Small Claims-13A

Report	Row	Definition
13A	200	<b>filing:</b> The beginning of a court case by the court's initial acceptance of a plaintiff's claim, a document alleging the facts and requesting relief.
13A	700	<b>dispositions:</b> The termination of a case pending before the court.
13A	800	<b>disposition before hearing:</b> Disposition occurs without a court appearance or before the introduction of first evidence. First evidence is when one or more parties or counsel appear and oral arguments, presentations relevant to the proceedings, witness testimony, and/or documents or tangible objects are submitted to the court.
13A	875	<b>transfer:</b> A disposition before hearing in which the case was transferred to a court in another county or within the same county.
13A	1000	<b>entry of request for dismissal (voluntary dismissal):</b> A disposition before hearing in which a request for dismissal is filed and entered.
13A	1100	<b>entry of court-ordered dismissal:</b> A disposition before hearing in which the court dismisses the entire case by signed and dated order on the court's own motion or at the request of a party. Include cases where the court minutes stand as the order and no other document is prepared.
13A	1400	<b>bankruptcy discharge:</b> A disposition before hearing in which the creditor's right to recover is eliminated because of a ruling of the federal court wiping out the remaining debts of the bankrupt person.
13A	1500	<b>disposition after hearing:</b> Disposition occurs after the first evidence is introduced.

Red indicates data points that are used in the Court Statistics Report. Blue indicates the additional data points that are used to obtain the red data points. For example, Row 800 is the sum of 875, 1000, 1100, 1400, and 1500.

## Time to Disposition Standards Update: Project Plan

### 1. May 17, 2019 CEAC/JBSIS subcommittee meeting outcomes:

Focus on NCSC standards

Revise data collection for felony, small claims and juvenile

### 2. Felony time standards

Currently, the Court Statistics Report (Data for Figures 32-34, page 98) only reports “Felonies Held to Answer Disposed of in Less Than 12 Months.”

The case aging categories in JBSIS for Age of Disposed Preinformation Cases from Complaint Arraignment to Final or Interim Disposition, rows 3155 to 3170, do not include a category that would make it possible to report on cases that dispose in 12 months or fewer.

1. Need to confirm with courts and CMS vendors whether it's feasible to:
  - a. Revise the definition of row 3170 to include cases 91-365 days of age
  - b. Add a new row for cases greater than or equal to 366 days
  - c. Confirm that 365 days is the appropriate unit of measure for a year
  
2. Implement per the new JBSIS manual revision schedule

### 3. Small claims: need to affirm the appropriate standard for this workload; revise the Standards of Judicial Administration if applicable; revise the JBSIS case aging data collection categories, if applicable.

California Standards of Judicial Administration 2.2 states that the goals for small claims cases are:

- (1) 90 percent disposed of within 75 days after filing; and
- (2) 100 percent disposed of within 95 days after filing.

However, the JBSIS data collection categories for small claims case aging are different-- 70 and 90 days:



<b>Small Claims 13a - Data Matrix</b>				05	10
JBSIS Data Reporting Standards effective July 1, 2018.				<b>Small Claims</b>	
Refer to JBSIS Implementation Manual Version 3.0 in the Reference section of the JBSIS Web site ( <a href="http://jbsis.courtinfo.ca.gov/">http://jbsis.courtinfo.ca.gov/</a> ) for detailed data definitions and reporting specifications.					
NOTE: JBSIS Manual 3.0 will be posted on JBSIS Website at a later date.					
			P	JBSIS Web Portal	P
2090	<b>Case aging</b>				
2100	Age of disposed cases				
▼2190	0–70 days (total rows 2200 - 2300)				
2200	0–40 days				
2300	41–70 days				
2400	71–90 days				
2500	GE 91 days				
2600	Age of disposed cases after submission				
2700	LE 30 days				
2800	GE 31days				
2900	Age of pending cases				
3000	0–40 days				
3100	41–70 days				
3200	71–90 days				
3300	GE 91days				

The NCSC does not have standards for small claims cases to help triangulate the correct standard.

**Next steps:** Research will be done with old JBSIS materials to determine whether the root cause of this discrepancy can be determined and will be reported back to the Subcommittee at its next meeting.

4. **Juvenile dependency performance standards** were adopted in 2006 and are codified in the Rules of Court 5.505. The rule of court further explains the data collection goals and requirements, which were based on California adopting a centralized case management system:

**(c) Data collection**

(1) California's Court Case Management System (CCMS) family and juvenile law module must be capable of collecting the data described in the *Implementation Guide to Juvenile Dependency Court Performance Measures* in order to calculate the performance measures and to produce performance measure reports.

(2) Before implementation of the CCMS family and juvenile law module, each local court must collect and submit to the Judicial Council the subset of juvenile dependency data described in (b) and further delineated in the *Implementation Guide to Juvenile Dependency Court Performance*

*Measures* that it is reasonably capable of collecting and submitting with its existing court case management system and resources.

(3) On implementation of the CCMS family and juvenile law module in a local court, and as the necessary data elements become electronically available, the local court must collect and submit to the Judicial Council the juvenile dependency data described in (b) and further delineated in the *Implementation Guide to Juvenile Dependency Court Performance Measures*. For the purposes of this subdivision, "implementation of the CCMS family and juvenile law module" in a local court means that the CCMS family and juvenile law module has been deployed in that court, is functioning, and has the ability to capture the required data elements and that local court staff has been trained to use the system.

OCR staff will reach out to CFCC staff to determine the status of data collection and reporting and will report back at the next subcommittee meeting.

## CASE AGING

<b>Felony 07c – Data Matrix</b>		5	10	20	30	40	50	60	70	80	90	95	100	105	110	115	120
JBSIS Data Reporting Standards effective July 1, 2018.																	
Refer to JBSIS Implementation Manual Version 3.0 in the Reference section of the JBSIS Web site ( <a href="http://jbsis.courtinfo.ca.gov/">http://jbsis.courtinfo.ca.gov/</a> ) for detailed data definitions and reporting specifications.																	
NOTE: JBSIS Manual 3.0 will be posted on JBSIS Website at a later date.																	
	P JBSIS Web Portal Case Type	P										P		P		P	
<b>CASELOAD/CASEFLOW (unit of count = defendant)</b>																	
3125	<b>Case Aging</b>																
3150	<b>Age of disposed preinformation cases from complaint arraignment to final or interim disposition</b>																
3155	0–30 days																
3160	31–45 days																
3165	46–90 days																
3170	GE 91 days																
3200	<b>Age of disposed cases from date of arraignment on the complaint</b>																
3300	0–30 days																
3400	31–60 days																
3500	61–120 days																
3600	121–180 days																
3700	181–365 days																
3800	GE 366 days																
3900	<b>Age of disposed cases from date of arraignment on the information or indictment</b>																
4000	0–30 days																
4100	31–60 days																
4200	61–120 days																
4300	121–180 days																
4400	181–365 days																
4500	GE 366 days																
4550	<b>Age of cases pending arraignment on the information</b>																
4555	0–30 days																
4560	31–45 days																
4565	46–90 days																
4570	GE 91 days																
4600	<b>Age of pending cases from date of arraignment on the information</b>																
4700	0–30 days																
4800	31–60 days																
4900	61–120 days																
5000	121–180 days																
5100	181–365 days																
5200	GE 366 days																
Key:	Unshaded cell = data expected																
	Shaded cell = data not expected; if a court feels it is appropriate for it to report data in a shaded cell, please contact the JCC.																
		▼	Value calculated in JBSIS														

Row	Case Type		Definition
	Portal	JBSIS	
3125			<p><b>Case Aging (Gov. Code, § 68604; Cal. Stds. Jud. Admin., § 2.2)</b> The number of cases falling into each of the following time intervals. Exclude the time the case was removed from the court’s control, capital cases, and cases filed prior to 1991.</p> <ul style="list-style-type: none"> <li>• If the capital charge is subsequently dropped, age from the arraignment date on the complaint.</li> <li>• Cases transferred in are aged from the complaint/information arraignment date in the original jurisdiction.</li> <li>• Do not age felony petitions or reopened cases.</li> <li>• Report all cases under the case type that corresponds with the most serious charge at date of disposition.</li> </ul>

Row	Case Type		Definition
	Portal	JBSIS	
			<ul style="list-style-type: none"> <li>Report all pending cases under the case type that corresponds with the most serious charge on the last day of the reporting period.</li> </ul>
3150			<p><b>Age of disposed preinformation cases from complaint arraignment to final or interim disposition</b> Report the number of cases that, in a stage prior to the filing of an information, were disposed (final or interim), and in which the defendant was arraigned on a complaint. Age from complaint arraignment date to final or interim disposition date.</p> <p>Include certified pleas in this category, since an information is not filed in these cases. Age from complaint arraignment date to final disposition date (sentencing).</p> <p><b>Final disposition (case closed):</b></p> <ul style="list-style-type: none"> <li>Dismissal, consolidation, reduction to misdemeanor, change of venue, or jurisdictional (intracounty) transfer</li> <li>Bail forfeiture</li> <li>Sentenced—Plea of guilty/nolo contendere to charges on complaint (include certified pleas)</li> <li>Before/after hearing</li> </ul> <p><b>Interim disposition (case continues):</b></p> <ul style="list-style-type: none"> <li>Held to answer—Waived preliminary hearing</li> <li>Held to answer</li> </ul>
3155	05	10-90 110	0-30 days
3160	05	10-90 110	31-45 days
3165	05	10-90 110	46-90 days
3170	05	10-90 110	GE 91 days
3200			<p><b>Age of disposed cases from date of complaint arraignment</b> Report the number of cases that were disposed, in which informations were filed and defendants were arraigned on informations. In this section, age from complaint arraignment date to</p>

Row	Case Type		Definition
	Portal	JBSIS	
			<p>final disposition date. Additionally, report simultaneously in rows 4000–4500 to provide complete aging details, as statutorily required:</p> <ul style="list-style-type: none"> <li>• 3300–3800 from complaint arraignment date to disposition date AND</li> <li>• 4000–4500 from information arraignment date to disposition date</li> </ul> <p>Do not include cases that were disposed prior to arraignment on an information. Such cases are aged on rows 3155–3170.</p> <p><b>Final disposition:</b></p> <ul style="list-style-type: none"> <li>• Dismissal, consolidation, reduction to misdemeanor, change of venue, or jurisdictional (intracounty) transfer</li> <li>• Bail forfeiture</li> <li>• Sentenced—Plea of guilty/nolo contendere</li> <li>• Acquittal</li> <li>• Sentenced—Court finding of guilt</li> <li>• Sentenced—Jury verdict of guilt</li> </ul>
3300	05	10–90 110	0–30 days
3400	05	10–90 110	31–60 days
3500	05	10–90 110	61–120 days
3600	05	10–90 110	121–180 days
3700	05	10–90 110	181–365 days
3800	05	10–90 110	GE 366 days
3900			<p><b>Age of disposed cases from date of arraignment on the information or indictment</b> Report the number of cases that were disposed, in which informations or indictments were filed, and defendants were arraigned on the informations or indictments. In this section, age from information or indictment arraignment date to final disposition date. Additionally, report simultaneously in rows 3300–3800 to provide complete aging details, as statutorily required:</p>

Row	Case Type		Definition
	Portal	JBSIS	
			<ul style="list-style-type: none"> <li>• 3300–3800 from complaint arraignment date to disposition date AND</li> <li>• 4000–4500 from information or indictment arraignment date to disposition date</li> </ul> <p>Do not include cases that were disposed prior to arraignment on an information. Such cases are aged on rows 3155–3170.</p> <p><b>Final disposition:</b></p> <ul style="list-style-type: none"> <li>• Dismissal, consolidation, reduction to misdemeanor, change of venue, or jurisdictional (intracounty) transfer</li> <li>• Bail forfeiture</li> <li>• Sentenced—Plea of guilty/nolo contendere</li> <li>• Acquittal</li> <li>• Sentenced—Court finding of guilt</li> <li>• Sentenced—Jury verdict of guilt</li> </ul>
4000	05	10–90 110	0–30 days
4100	05	10–90 110	31–60 days
4200	05	10–90 110	61–120 days
4300	05	10–90 110	121–180 days
4400	05	10–90 110	181–365 days
4500	05	10–90 110	GE 366 days
4550			<p><b>Age of pending cases awaiting arraignment on the information</b> Report the number of pending cases in which the defendant was not yet arraigned on an information. Age from complaint arraignment date to the last day of the reporting period.</p> <p>Include certified plea cases that are awaiting final disposition.</p>

Row	Case Type		Definition
	Portal	JBSIS	
	The number of cases reported in age of pending may not equal the number of end pending cases reporting on row 1200 because end pending includes cases that have not been arraigned on the information.		
4555	05	10-90 110	0-30 days
4560	05	10-90 110	31-45 days
4565	05	10-90 110	46-90 days
4570	05	10-90 110	GE 91 days
4600	<p><b>Age of pending cases from date of arraignment on the information or indictment</b> Report the number of pending cases in which the defendant was arraigned on an information or indictment. Age from arraignment date to the last day of the reporting period.</p> <p>The number of cases reported in age of pending may not equal the number of end pending cases reported on row 1200, because end pending includes cases that have not been arraigned on the information.</p>		
4700	05	10-90 110	0-30 days
4800	05	10-90 110	31-60 days
4900	05	10-90 110	61-120 days
5000	05	10-90 110	121-180 days
5100	05	10-90 110	181-365 days
5200	05	10-90 110	GE 366 days

## TABLE OF MODEL TIME STANDARDS

Case Category	Case Type	COSCA Standard	ABA Standard	Model Standard
CRIMINAL	Felony	100% within 180 days	90% within 120 days 98% within 180 days 100% within 365 days	75% within 90 days 90% within 180 days 98% within 365 days
	Misdemeanor	100% within 90 days	90% within 30 days 100% within 90 days	75% within 60 days 90% within 90 days 98% within 180 days
	Traffic and Local Ordinance			75% within 30 days 90% within 60 days 98% within 90 days
	<i>Habeas corpus</i> and similar Post-conviction proceedings (following a criminal conviction)			98% within 180 days
CIVIL	General Civil	100% of non-jury within 12 months 100% jury trials within 18 months	90% within 12 months 98% within 18 months 100% within 24 months	75% within 180 days 90% within 365 days 98% within 540 days
	Summary Matters			75% within 60 days 90% within 90 days 98% within 180 days
FAMILY	Dissolution/ Divorce/ Allocation of Parental Responsibility	100% uncontested within 3 months 100% contested within 6 months	90% within 3 months 98% within 6 months 100% within 12 months	75% within 120 days 90% within 180 days 98% within 365 days
	Post Judgment Motions			98% within 180 days
	Protection Orders			90% within 10 days 98% within 30 days
JUVENILE	Delinquency & Status Offense		90% within 3 months 98% within 6 months 100% within 12 months	For youth in detention: 75% within 30 days 90% within 45 days 98% within 90 days For youth not in detention: 75% within 60 days 90% with 90 days 98% within 150 days
	Neglect and Abuse		90% within 3 months 98% within 6 months 100% within 12 months	Adjudicatory Hearing 98% within 90 days of removal Permanency Hearing 75% within 270 days of removal 98% within 360 days of removal
	Termination of Parental Rights		90% within 3 months 98% within 6 months 100% within 12 months	90% within 120 days after the filing of a termination petition 98% within 180 days after the filing of a termination petition
PROBATE	Administration of Estates			75% within 360 days 90% within 540 days 98% within 720 days
	Guardianship/ Conservator of Incapacitated Adults			98% within 90 days
	Civil Commitment			98% within 15 days





# 2019 California Rules of Court

## Standard 2.2. Trial court case disposition time goals

### (a) Trial Court Delay Reduction Act

The recommended goals for case disposition time in the trial courts in this standard are adopted under Government Code sections 68603 and 68620.

*(Subd (a) amended effective January 1, 2007; adopted effective July 1, 1987; relettered effective January 1, 1989; previously amended effective January 1, 2004.)*

### (b) Statement of purpose

The recommended time goals are intended to guide the trial courts in applying the policies and principles of standard 2.1. They are administrative, justice-oriented guidelines to be used in the management of the courts. They are intended to improve the administration of justice by encouraging prompt disposition of all matters coming before the courts. The goals apply to all cases filed and are not meant to create deadlines for individual cases. Through its case management practices, a court may achieve or exceed the goals stated in this standard for the overall disposition of cases. The goals should be applied in a fair, practical, and flexible manner. They are not to be used as the basis for sanctions against any court or judge.

*(Subd (b) amended effective January 1, 2007; adopted effective July 1, 1987, as (1); relettered effective January 1, 1989; previously amended effective January 1, 2004.)*

### (c) Definition

The definition of "general civil case" in rule 1.6 applies to this section. It includes both unlimited and limited civil cases.

*(Subd (c) amended effective January 1, 2007; adopted effective January 1, 2004.)*

### (d) Civil cases-processing time goals

The goal of each trial court should be to process general civil cases so that all cases are disposed of within two years of filing.

*(Subd (d) amended and relettered effective January 1, 2004; adopted effective July 1, 1987, as (2); previously amended effective July 1, 1988; amended and relettered as subd (c) effective January 1, 1989.)*

### (e) Civil cases-rate of disposition

Each trial court should dispose of at least as many civil cases as are filed each year and, if necessary to meet the case-processing goal in (d), dispose of more cases than are filed. As the court disposes of inactive cases, it should identify active cases that may require judicial attention.

*(Subd (e) amended effective January 1, 2007; adopted effective July 1, 1987, as (3); previously amended effective July 1, 1988; previously amended and relettered as subd (d) effective January 1, 1989, and as subd (e) effective January 1, 2004.)*

### (f) General civil cases-case disposition time goals

The goal of each trial court should be to manage general civil cases, except those exempt under (g), so that they meet the following case disposition time goals:

#### (1) Unlimited civil cases:

The goal of each trial court should be to manage unlimited civil cases from filing so that:

- (A) 75 percent are disposed of within 12 months;
- (B) 85 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

#### (2) Limited civil cases:

The goal of each trial court should be to manage limited civil cases from filing so that:

- (A) 90 percent are disposed of within 12 months;
- (B) 98 percent are disposed of within 18 months; and
- (C) 100 percent are disposed of within 24 months.

(3) *Individualized case management*

The goals in (1) and (2) are guidelines for the court's disposition of all unlimited and limited civil cases filed in that court. In managing individual civil cases, the court must consider each case on its merits. To enable the fair and efficient resolution of civil cases, each case should be set for trial as soon as appropriate for that individual case consistent with rule 3.729.

*(Subd (f) amended effective January 1, 2007; adopted as subd (g) effective July 1, 1987; relettered as subd (h) effective January 1, 1989; amended effective July 1, 1991; previously amended and relettered as subd (f) effective January 1, 2004.)*

**(g) Exceptional civil cases**

A general civil case that meets the criteria in rules 3.715 and 3.400 and that involves exceptional circumstances or will require continuing review is exempt from the time goals in (d) and (f). Every exceptional case should be monitored to ensure its timely disposition consistent with the exceptional circumstances, with the goal of disposing of the case within three years.

*(Subd (g) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(h) Small claims cases**

The goals for small claims cases are:

- (1) 90 percent disposed of within 75 days after filing; and
- (2) 100 percent disposed of within 95 days after filing.

*(Subd (h) adopted effective January 1, 2004.)*

**(i) Unlawful detainer cases**

The goals for unlawful detainer cases are:

- (1) 90 percent disposed of within 30 days after filing; and
- (2) 100 percent disposed of within 45 days after filing.

*(Subd (i) adopted effective January 1, 2004.)*

**(j) Felony cases-processing time goals**

Except for capital cases, all felony cases disposed of should have a total elapsed processing time of no more than one year from the defendant's first arraignment to disposition.

*(Subd (j) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(k) Misdemeanor cases**

The goals for misdemeanor cases are:

- (1) 90 percent disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent disposed of within 90 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent disposed of within 120 days after the defendant's first arraignment on the complaint.

*(Subd (k) adopted effective January 1, 2004.)*

**(l) Felony preliminary examinations**

The goal for felony cases at the time of the preliminary examination (excluding murder cases in which the prosecution seeks the death penalty) should be disposition by dismissal, by interim disposition by certified plea of guilty, or by finding of probable cause, so that:

- (1) 90 percent of cases are disposed of within 30 days after the defendant's first arraignment on the complaint;
- (2) 98 percent of cases are disposed of within 45 days after the defendant's first arraignment on the complaint; and
- (3) 100 percent of cases are disposed of within 90 days after the defendant's first arraignment on the complaint.

*(Subd (l) adopted effective January 1, 2004.)*

**(m) Exceptional criminal cases**

An exceptional criminal case is not exempt from the time goal in (j), but case progress should be separately reported under the Judicial Branch Statistical Information System (JBSIS) regulations.

*(Subd (m) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(n) Cases removed from court's control excluded from computation of time**

If a case is removed from the court's control, the period of time until the case is restored to court control should be excluded from the case disposition time goals. The matters that remove a case from the court's control for the purposes of this section include:

(1) Civil cases:

- (A) The filing of a notice of conditional settlement under rule 3.1385;
- (B) An automatic stay resulting from the filing of an action in a federal bankruptcy court;
- (C) The removal of the case to federal court;
- (D) An order of a federal court or higher state court staying the case;
- (E) An order staying the case based on proceedings in a court of equal standing in another jurisdiction;
- (F) The pendency of contractual arbitration under Code of Civil Procedure section 1281.4;
- (G) The pendency of attorney fee arbitration under Business and Professions Code section 6201;
- (H) A stay by the reporting court for active military duty or incarceration; and
- (I) For 180 days, the exemption for uninsured motorist cases under rule 3.712(b).

(2) Felony or misdemeanor cases:

- (A) Issuance of warrant;
- (B) Imposition of a civil assessment under Penal Code section 1214.1;
- (C) Pendency of completion of diversion under Penal Code section 1000 et seq.;
- (D) Evaluation of mental competence under Penal Code section 1368;
- (E) Evaluation as a narcotics addict under Welfare and Institutions Code sections 3050 and 3051;
- (F) 90-day diagnostic and treatment program under Penal Code section 1203.3;
- (G) 90-day evaluation period for a juvenile under Welfare and Institutions Code section 707.2;
- (H) Stay by a higher court or by a federal court for proceedings in another jurisdiction;
- (I) Stay by the reporting court for active military duty or incarceration; and
- (J) Time granted by the court to secure counsel if the defendant is not represented at the first appearance.

*(Subd (n) amended effective January 1, 2007; adopted effective January 1, 2004.)*

**(o) Problems**

A court that finds its ability to comply with these goals impeded by a rule of court or statute should notify the Judicial Council.

*(Subd (o) amended effective January 1, 2007; adopted effective January 1, 2004.)*

*Standard 2.2 amended and renumbered effective January 1, 2007; adopted as sec. 2.1 effective July 1, 1987; previously amended effective January 1, 1988, July 1, 1988, January 1, 1989, January 1, 1990, July 1, 1991, and January 1, 2004.*



# 2019 California Rules of Court

## Rule 5.505. Juvenile dependency court performance measures

### (a) Purpose

The juvenile dependency court performance measures and related procedures set forth in this rule are intended to:

- (1) Protect abused and neglected children by assisting courts in promoting children's placement in safe and permanent homes, enhancing their well-being and that of their families, and ensuring that all participants receive timely and fair treatment;
- (2) Assist trial courts in meeting the mandated timelines for dependency hearings, securing due process for all litigants, and, in collaboration with the child welfare agency, improving safety, permanency, and well-being outcomes for children and families under the jurisdiction of the juvenile dependency court; and
- (3) Assist courts in making well-informed resource allocation decisions.

### (b) Performance measures

Detailed definitions of the performance measures and descriptions of the methods for producing the performance measures in accordance with (c)(2) and (3) are contained in the Judicial Council-approved *Implementation Guide to Juvenile Dependency Court Performance Measures*.

The juvenile dependency court performance measures are:

- (1) Hearing timeliness:
  - (A) Percentage of children for whom the initial hearing is completed within the statutory time frame following the filing of the initial petition;
  - (B) Percentage of children for whom the jurisdictional hearing is completed within the statutory time frame following the initial hearing;
  - (C) Percentage of children for whom the disposition hearing is completed within the statutory time frame following the finding of jurisdiction;
  - (D) Percentage of children for whom a 3-month or other interim review hearing is held;
  - (E) Percentage of children for whom the 6-month review hearing is completed within 6 months of the date the child entered foster care;
  - (F) Percentage of children for whom the 12-month permanency hearing is completed within 12 months of the date the child entered foster care;
  - (G) Percentage of children for whom the 18-month review hearing is completed within 18 months of the date of original protective custody;
  - (H) Percentage of children for whom the first section 366.26 hearing is completed within 120 days of the termination of reunification services;
  - (I) Percentage of children whose postpermanency hearing is completed within 6 months of the section 366.26 hearing or the last postpermanency hearing;
  - (J) Percentage of children in long-term foster care whose subsequent section 366.26 hearing is completed within 12 months of the previous section 366.26 hearing;
  - (K) Percentage of children whose adoption is finalized within 180 days after termination of parental rights;
  - (L) Median time from disposition or section 366.26 hearing to order establishing guardianship;
  - (M) Percentage of children for whom the first and subsequent postpermanency review hearings are completed within the statutory time frame;
  - (N) Percentage of hearings delayed by reasons for delay and hearing type;

- (O) Median time from filing of original petition to implementation of a permanent plan by permanent plan type; and
  - (P) Median time from filing of original petition to termination of jurisdiction by reason for termination of jurisdiction.
- (2) Court procedures and due process:
- (A) Percentage of cases in which all hearings are heard by one judicial officer;
  - (B) Percentage of cases in which all parties and other statutorily entitled individuals are served with a copy of the original petition;
  - (C) Percentage of hearings in which notice is given to all statutorily entitled parties and individuals within the statutory time frame;
  - (D) Percentage of hearings in which child or parents are present if statutorily entitled to be present;
  - (E) Percentage of hearings in which a judicial inquiry is made when a child 10 years of age or older is not present at hearing;
  - (F) Percentage of hearings in which other statutorily entitled individuals who are involved in the case (e.g., CASA volunteers, caregivers, de facto parents, others) are present;
  - (G) Percentage of cases in which legal counsel for parents, children, and the child welfare agency are present at every hearing;
  - (H) Point at which children and parents are assigned legal counsel;
  - (I) Percentage of cases in which legal counsel for children or parents changes;
  - (J) Percentage of cases in which no reunification services are ordered and reasons;
  - (K) Percentage of cases for which youth have input into their case plans; and
  - (L) Cases in compliance with the requirements of the Indian Child Welfare Act (ICWA).
- (3) Child safety in the child welfare system:
- (A) Percentage of children who are not victims of another substantiated maltreatment allegation within 6 and 12 months after the maltreatment incident that led to the filing of the initial petition; and
  - (B) For all children served in foster care during the year, percentage of children who were not victims of substantiated maltreatment by a foster parent or facility staff member.
- (4) Child permanency:
- (A) Percentage of children reunified in less than 12 months;
  - (B) Percentage of children who were reunified but reentered foster care within 12 months;
  - (C) Percentage of children who were discharged from foster care to a finalized adoption within 24 months;
  - (D) Percentage of children in foster care who were freed for adoption;
  - (E) Percentage of children in long-term foster care who were discharged to a permanent home before their 18th birthdays;
  - (F) Of children discharged to emancipation or aging out of foster care, percentage who were in foster care 3 years or longer;
  - (G) Percentage of children with multiple foster-care placements;
- (5) Child and family well-being:
- (A) Percentage of children 14 years of age or older with current transitional independent living plans;
  - (B) Percentage of children for whom a section 391 termination of jurisdiction hearing was held;
  - (C) Percentage of section 391 termination of jurisdiction hearings that did not result in termination of jurisdiction and reasons jurisdiction did not terminate;
  - (D) Percentage of youth present at section 391 termination of jurisdiction hearing with judicial confirmation of receipt of all services and documents mandated by section 391(b)(1-5);
  - (E) Percentage of children placed with all siblings who are also under court jurisdiction, as appropriate;

- (F) Percentage of children placed with at least one but not all siblings who are also under court jurisdiction, as appropriate;
- (G) For children who have siblings under court jurisdiction but are not placed with all of them, percentage of cases in which sibling visitation is not ordered and reasons;
- (H) Percentage of cases in which visitation is not ordered for parents and reasons;
- (I) Number of visitation orders for adults other than parents and siblings, (e.g., grandparents, other relatives, extended family members, others) as appropriate;
- (J) Number of cases in which the court has requested relative-finding efforts from the child welfare agency;
- (K) Percentage of children placed with relatives;
- (L) For children 10 years of age or older and in foster care for at least 6 months, percentage for whom the court has inquired whether the social worker has identified persons important to the child; and
- (M) For children 10 years of age or older in foster care for at least 6 months, percentage for whom the court has made orders to enable the child to maintain relationships with persons important to that child.

**(c) Data collection**

- (1) California's Court Case Management System (CCMS) family and juvenile law module must be capable of collecting the data described in the *Implementation Guide to Juvenile Dependency Court Performance Measures* in order to calculate the performance measures and to produce performance measure reports.
- (2) Before implementation of the CCMS family and juvenile law module, each local court must collect and submit to the Judicial Council the subset of juvenile dependency data described in (b) and further delineated in the *Implementation Guide to Juvenile Dependency Court Performance Measures* that it is reasonably capable of collecting and submitting with its existing court case management system and resources.
- (3) On implementation of the CCMS family and juvenile law module in a local court, and as the necessary data elements become electronically available, the local court must collect and submit to the Judicial Council the juvenile dependency data described in (b) and further delineated in the *Implementation Guide to Juvenile Dependency Court Performance Measures*. For the purposes of this subdivision, "implementation of the CCMS family and juvenile law module" in a local court means that the CCMS family and juvenile law module has been deployed in that court, is functioning, and has the ability to capture the required data elements and that local court staff has been trained to use the system.

*(Subd (c) amended effective January 1, 2016.)*

**(d) Use of data and development of measures before CCMS implementation**

Before CCMS implementation, the Judicial Council must:

- (1) Establish a program to assist the local courts in collecting, preparing, analyzing, and reporting the data required by this rule;
- (2) Establish a procedure to assist the local courts in submitting the required data to the Judicial Council;
- (3) Use the data submitted under (c)(2) to test and refine the detailed definitions of the performance measures and descriptions of the methods for producing the performance measures described in the *Implementation Guide to Juvenile Dependency Court Performance Measures*;
- (4) Consult with local courts about the accuracy of the data submitted under (c)(2). After such consultation, use data to generate aggregate data reports on performance measures, consistent with section 16543, while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system; and
- (5) Assist the courts in using the data to achieve improved outcomes for children and families in the dependency system, make systemic improvements, and improve resource allocation decisions.

*(Subd (d) amended effective January 1, 2016.)*

**(e) Use of data after CCMS implementation**

On implementation of CCMS, the Judicial Council must:

- (1) Use the data submitted under (c)(3) to conduct ongoing testing, refining, and updating of the information in the *Implementation Guide to Juvenile Dependency Court Performance Measures*;

- (2) Use the data submitted under (c)(3) to generate aggregate data reports on performance measures, consistent with section 16543, while not disclosing identifying information about children, parents, judicial officers, and other individuals in the dependency system;
- (3) Upon the request of any local court, extract data from the system and prepare county-level reports to meet data reporting requirements; and
- (4) Assist the courts in using the data to achieve improved outcomes for children and families in the dependency system, make systemic improvements, and improve resource allocation decisions.

*(Subd (e) amended effective January 1, 2016.)*

*Rule 5.505 amended effective January 1, 2016; adopted effective January 1, 2009.*

#### **Advisory Committee Comment**

The juvenile dependency court performance measures and related procedures set forth in this rule fulfill the requirements of the Child Welfare Leadership and Accountability Act of 2006 (Welf. & Inst. Code, §§ 16540-16545).

Consistent with section 16545, the Child Welfare Council and the secretary of the California Health and Human Services Agency were consulted in adopting these performance measures. The appropriate court technology groups have also been consulted.

The *Implementation Guide to Juvenile Dependency Court Performance Measures* is a companion publication to this rule, approved by the Judicial Council.

It is anticipated that the Judicial Council will update the *Implementation Guide to Juvenile Dependency Court Performance Measures*, as appropriate, to stay current with Court Case Management System (CCMS) requirements, local court needs, and the most recent versions of the relevant state and federal child welfare measures. Proposed updates other than those that are purely technical will be circulated for public comment prior to publication.



## JUDICIAL COUNCIL OF CALIFORNIA

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### MEMORANDUM

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<b>Date</b> September 10, 2019	<b>Action Requested</b> Information Only
<b>To</b> CEAC JBSIS Subcommittee	<b>Deadline</b> N/A
<b>From</b> Emily Chirk Senior Research Analyst Office of Court Research	<b>Contact</b> Emily Chirk Senior Research Analyst Office of Court Research (415) 865-7453 phone emily.chirk@jud.ca.gov
<b>Subject</b> JBSIS Questions	

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Below are a sample of questions and answers that the Office of Court Research as received over the last four months regarding JBSIS.

**Question #1:** Please confirm whether or not we should be counting all criminal Writs of Habeas Corpus as a new felony filing or only in instances when we do not have the underlying criminal case in our county? The definition for “petitions” in row 700 make it seem as though that we shouldn’t count all of them, but it is not explicitly stated in the definition for the Writ of Habeas Corpus case type (unlike in Misc. Criminal Petitions, which explicitly states when to count or not count).

**Answer:** Writ of Habeas Corpus should only be counted as a new filing in instances where there is no existing criminal case in which the petition can be filed and in which a new case must be opened. For example, defendant has a case for injuring a guard. They then file a WHC for prison conditions, that WHC would count as a new filing because it does not relate to the first case.



**Question #2:** I have a case where the Notice Regarding Payment of Support was filed in 2017 and again just this month, June 2019. Because our court did not get the first credit for it being filed in 2017 since this just updated in 3.0, do we get the credit for it for June 2019?

**Answer:** Yes, you can count the 2019 filing even though there was a 2017 filing. Our anticipation is that as time passes, the number of cases with this scenario will decrease and eventually we will only have cases that count at the “true” initial filing of the 632.

**Question #3:** If multiple parties in a single case file form FW-001 Request to Waive Court Fees, does that mean the Court should only report the request from the party who is first to file the form in this row? Also, is “Subsequent fee waiver requested” defined as a request to waive additional court fees using form FW-002, or is it any request(s) to waive court fees (even using FW-001) that follows the first instance that FW-001 is filed in a case?

**Answer:** California Rules of Court 3.50 defines initial fee waiver as the “initial waiver of court fees and costs that may be granted at any stage of the proceedings and includes both the fees and costs specified in rule 3.55 and any additional fees and costs specified in rule 3.56.” Rule 3.55 is for FW-001 and Rule 3.56 is for FW-002. This would indicate that FW-002 are part of the initial filing definition. So FW-002 would not be counted in Row 4550. Row 4550 should be the 2nd, 3rd, etc FW-001 filed by either party. Row 5300 would only count FW-001 filed the first time in a case, regardless of whether the party is the initial petitioner or not.

**Question #4:** I have a question regarding the “Reopen” row for JBSIS. If a new filing for a Petition 601 Original is disposed by an entry of judgement and an order for a dismissal and sealing of records is granted under W&I 786, would I reopen the petition and enter the dismissal? Would this be considered double counting?

**Answer:** Reopened is used whenever the disposition changes. This is not a double count because reopened cases do not count in filing. The reason we have the reopened row is to allow a one to one relationship in the inventory section between “opening” of cases and “closing” of cases. For every opening of a case, there should be a closing and vice versa.

**Question #5:** How are PRCS and Parole Petitions counted in JBSIS if at all?

**Answer:** Post disposition workload for renovation hearings and mandatory supervision violation can be counted in rows 7300 (resentencing/modification hearing) or 7500 (other hearing).

**Question #6:** I have a question in regards to JBSIS 3.0 as relating to Row 225 Reopened: “A case that was previously reported as disposed but is resubmitted to a court.” With respect to Probate cases, there can be a case within a case which means at more than one point within a case a disposition can occur. Certain petitions can be disposed and reopened. Does the reopen category apply in those instances? Or, does the reopen row only apply to a case that has reached final disposition? Such as, there is a final discharge of a Probate and the case is closed, then years later, more property is found and the Probate has to be reopened. Please advise.

**Answer:** Reopened is in the inventory (initial petition) section, I’m inclined to say that reopened is only used after the initial petition has been disposed. Row 500 defines dispositions as “the manner in which an initial petition is disposed.” Subsequent petitions are disposed on rows 4200-4400 and cases under supervision are disposed in rows 2350-2900.

**Question #7:** I have a request for clarification for the Family Law 6a report. The first page of the data elements definitions for family law states that the case is the unit of count for family law, regardless of the number of respondents or causes of action listed in the complaint/petition. Pages 6 states that we should get filing and disposition counts for domestic violence cases, even if they are processed as part of an existing case. If we have a request for a DVRO and we add it to an existing dissolution case, do we count the events and other workload counts for the DV in the dissolution column or the DV column? It reads to me that the DV workload should be added to the dissolution column and we would only get additional filing and disposition counts for the DVRO filing in the DV column. The same question applies to workload for DCSS, as we also get filing/disposition counts even if processed as part of an existing case (pages 7-8).

**Answer:** The events and other workload counts for the DV should be captured in the DV column. Same with the DCSS workload.

**Question #8:** If one of the case types under Provisionally Complex Civil Litigation is filed, but the civil case cover sheet reflects that the case is not complex, (#2 on the civil case cover sheet is marked “is not complex”) then does the case continue to be reported as provisionally complex?

**Answer:** CRC 3.403 (a) states: “Except as provided in rule 3.402, if a Civil Case Cover Sheet (form CM-010) that has been filed and served designates an action as a complex case **or checks a case type described as provisionally complex civil litigation**, the court must decide as soon as reasonably practicable, with or without a hearing, whether the action is a complex case” (emphasis added).

CRC 3.403 (a) indicates that a case is provisionally complex in two scenarios: if section one indicates that a case is provisionally complex or section two indicates that a case is

complex. There is no requirement that both sections indicate that the case is *provisionally* complex, creating an “or” scenario instead of an “and.” Additionally, it is the role of the court to make the final determination of whether a case is complex or not. JBSIS captures provisionally complex casetypes which CRC 3.400 specifically designates as casetypes under section one.