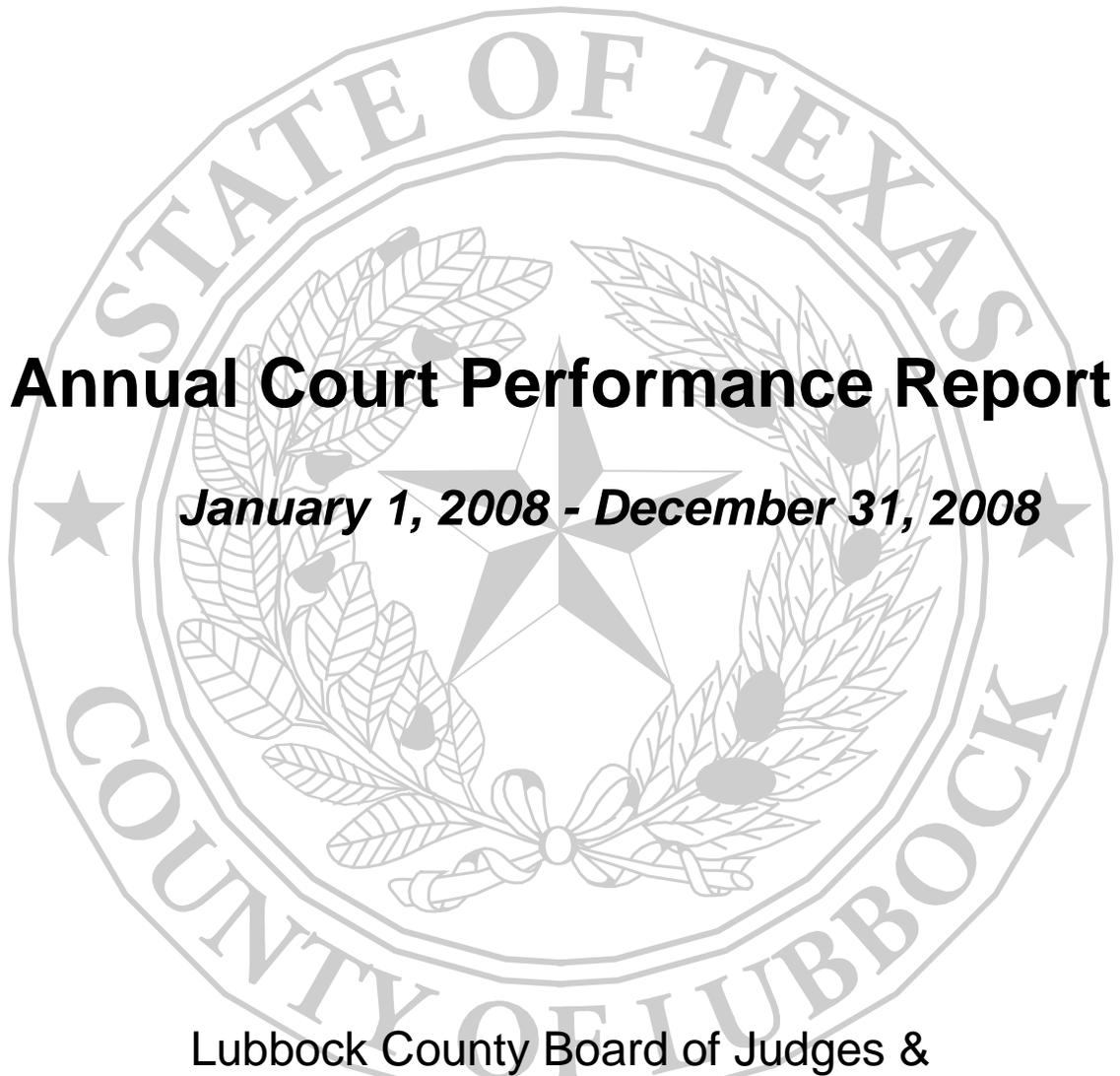


Lubbock County Judicial Branch

DISTRICT COURTS and
COUNTY COURTS AT LAW

The seal of the State of Texas is a large, faint watermark in the background. It features a central five-pointed star surrounded by a wreath of olive and live oak branches. The words "STATE OF TEXAS" are arched across the top, and "COUNTY OF LUBBOCK" is arched across the bottom. Two smaller stars are positioned on the left and right sides of the seal.

Annual Court Performance Report

January 1, 2008 - December 31, 2008

Lubbock County Board of Judges &
Administrative Office of the Courts

Acknowledgements

Many people contributed to this report. The Board of Judges and Director of Court Administration wish to thank each one of them, but especially Dean Stanzione, Joy Mariott, Veda Wright, Mistie Hill and Melissa Lara who worked tirelessly assisting in compiling data for the report. The Board of Judges also wishes to recognize the efforts of Ki Corp and the Lubbock County Information Services department for their assistance in creating reports, efforts which made this report easier to compile. Lastly, the Board of Judges thanks each member of the court staff who contributed to this report by providing data when requested. Without the assistance of all of these individuals, this report would not have been possible.

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Introduction to the 2008 Report

**“What gets measured gets done.”
- Peter Drucker**

The Lubbock County Board of Judges present the fourth annual court performance report that focuses on the performance of the courts in 2008. The Lubbock County Board of Judges continues to believe that it is imperative to allow the public who utilize and fund the courts to use objective data to “judge the judges.” The Courts saw more recognition for the efforts related to performance measurement with two awards:

- 2009 Best Practice Award for Achievement in General Management from the Texas Association of Counties¹
- 2009 Achievement Award from the National Association of Counties

It is apparent from this report that the pressures upon the Lubbock County judiciary continue to make it difficult to meet the high standards that have been established. Some measures have improved and some have not. That being said, the courts are committed to continuing the progress that has been made and to measuring so that needed improvements can be identified.

With all of this in mind, it is with great pleasure that we publish this report on behalf of the Lubbock County District Courts and County Courts at Law. The report presents detailed operational data on the District Courts and County Courts at Law for calendar year 2008. This report includes all of the ten CourTool measures. We take great pride in presenting the full balanced scorecard on the courts, still one of the only courts in the world to have accomplished this feat.

The Board of Judges would like to recognize the efforts of all of the judicial officers and court staff who have worked extremely hard to accomplish great things during 2008 in the face of increased workload with level staffing resources. Without the judges and employees of the Court, none of what will be reported here would have been possible. In addition to the Court staff’s efforts, the Board of Judges extends gratitude to the Lubbock County Information Technology Department and Ki Corp Incorporated for their tremendous efforts in assisting the Courts by modifying the case management software to allow institutionalization of these improvements.

We hope that this report is helpful both to our internal stakeholders, as well as any others who read this report.

Respectfully submitted,

Sam Medina
Administrative Judge
District Courts

Larry B. “Rusty” Ladd
Administrative Judge
County Courts at Law

David Slayton
Director of Court
Administration

¹ See more about this award at http://www.county.org/resources/library/county_mag/v21no5/CBP-lubbock-courttools.asp

The CourTools Measures

The CourTools performance measures provide the judiciary with the tools to demonstrate effective stewardship of public resources. Being responsive and accountable is critical to maintaining the independence courts need to deliver fair and equal justice to the public.

Access and Fairness 1

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.

Clearance Rates 2

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.

Time to Disposition 3

definition: The percentage of cases disposed or otherwise resolved within established time frames

purpose: This measure, used in conjunction with Clearance Rates (Measure 2) and Age of Active Pending Caseload (Measure 4), 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.

Age of Active Pending Caseload 4

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: Does a backlog exist? Which cases are a problem? Given past and present performance, what is expected in the future?

Trial Date Certainty 5

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 (also known as nonjury trials), and adjudicatory hearings in juvenile cases.

Reliability and Integrity of Case Files 6

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.

Collection of Monetary Penalties 7

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 depends 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.

Effective Use of Jurors 8

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.

Court Employee Satisfaction 9

definition: Ratings of court employees assessing the quality of the work environment and relations between staff and management.

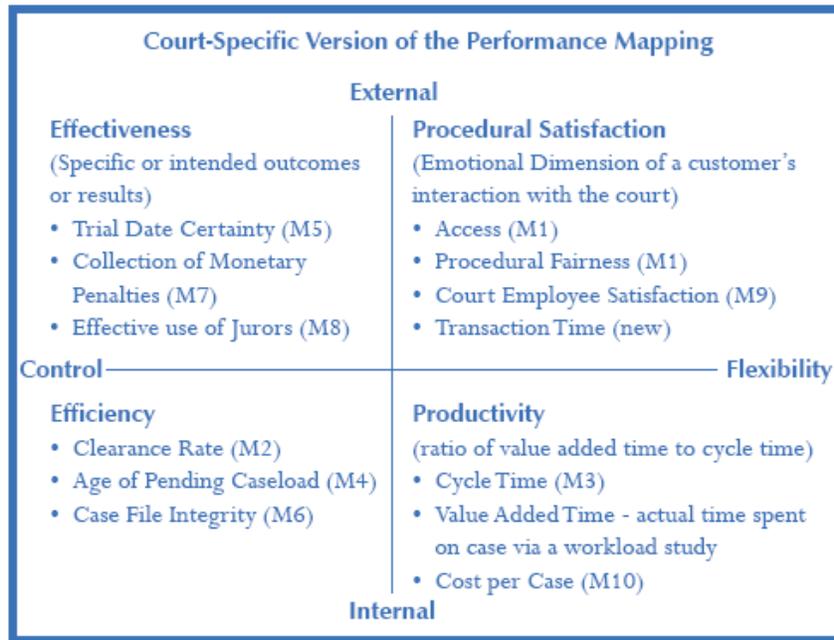
purpose: Committed and loyal employees have a direct impact on a court's performance. This measure is a powerful tool for surveying employee opinion on whether staff have the materials, motivation, direction, sense of mission, and commitment to do quality work. Knowing how employees perceive the workplace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

Cost Per Case 10

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."

Courts have long sought a set of balanced and realistic performance measures that are practical to implement and use. The ten CourTools performance measures were designed by the National Center for State Courts to answer that call, as revealed below.



For the second year, all ten measures have been completed and are reported herein, providing the balanced scorecard view of the local courts.

Trends in Lubbock County District and County-Level Courts

| CourTool Measure | Change (2007 - 2008) | Difference (2007 – 2008) | Meets Performanc e Goal |
|--|-------------------------|-----------------------------|-------------------------------|
| <i>CourTool 1: Access and Fairness</i> | | | |
| Access Index Score | -3.3 | 90.3 to 87.0 | No |
| Fairness Index Score | +9.9 | 72.8 to 82.7 | No |
| <i>CourTool 2: Clearance Rate</i> | | | |
| District Civil | +14% | 109% to 123% | Yes |
| County Court at Law Civil | +15% | 100% to 115% | Yes |
| Felony Criminal | -1% | 100% to 99% | No |
| Misdemeanor Criminal | -5% | 102% to 97% | No |
| Family Law | -20% | 111% to 91% | No |
| Juvenile | -37% | 198% to 161% | Yes |
| <i>CourTool 3: Time to Disposition</i> | | | |
| District Civil | | | |
| Level 1 | -22.4% | 100% to 77.6% | No |
| Level 2 | +10.2% | 83.1% to 93.3% | No |
| Level 3 | -2.6% | 95.5% to 92.9% | No |
| County Court at Law Civil | | | |
| Level 1 | -5.3% | 85.1% to 79.8% | No |
| Level 2 | -6.8% | 100% to 93.2% | No |
| Level 3 | unchanged | 100% to 100% | Yes |
| Felony Criminal | | | |
| Level 1 | -7.7% | 83.1% to 75.4% | No |
| Level 2 | -3.5% | 79.5% to 76.0% | No |
| Level 3 | -42.9% | 100% to 57.1% | No |
| Misdemeanor Criminal | -29.7% | 70.6% to 40.9% | No |
| Family Law | | | |
| Level 1 | -6.9% | 90.9% to 84.0% | No |
| Level 2 | +4.7% | 80.0% to 84.7% | No |
| Level 3 | n/a | n/a to 85.7% | No |
| Juvenile ² | | | |
| In detention | -8.3% | 10.9% to | No |
| Out of detention | -16.9% | 25.6% to | No |
| <i>CourTool 4: Age of Active</i> | | | |

² The Courts have not adopted a local guideline for the disposition of juvenile cases. The Court does not track juvenile cases based upon their detention status. For the purposes of this measure, the COSCA and ABA Case Processing Standards are used (15 days in detention and 30 days out of detention).

| | | | |
|--|-----------|----------------|------------|
| <i>Pending Caseload</i> | | | |
| District Civil | | | |
| Level 1 (6.9% of caseload) | +11.1% | 78.9% to 90.0% | No |
| Level 2 (70.5% of caseload) | -2.0% | 89.3% to 87.3% | No |
| Level 3 (22.6% of caseload) | +0.9% | 96.0% to 96.9% | No |
| County Court at Law Civil | | | |
| Level 1 (54.8% of caseload) | +0.5% | 71.4% to 71.9% | No |
| Level 2 (43.2% of caseload) | -4.3% | 90.6% to 86.3% | No |
| Level 3 (2% of caseload) | unchanged | 100% to 100% | Yes |
| Felony Criminal | | | |
| Level 1 (69% of caseload) | -4.3% | 75.0% to 70.7% | No |
| Level 2 (30% of caseload) | -2.7% | 74.8% to 72.1% | No |
| Level 3 (1% of caseload) | +16.7% | 50.0% to 66.7% | No |
| Misdemeanor Criminal | -17.5% | 75.9% to 58.4% | No |
| Family Law | | | |
| Level 1 (20.6% of caseload) | +3.3% | 82.3% to 85.6% | No |
| Level 2 (78.5% of caseload) | +3.6% | 73.4% to 77.0% | No |
| Level 3 (0.9% of caseload) | +25.0% | 75.0% to 100% | No |
| Juvenile ¹ | | | |
| In detention | n/a | n/a to 15.4% | No |
| Out of detention | n/a | n/a to 16.7% | No |
| <i>CourTool 5: Trial Date Certainty</i> | | | |
| <i>Jury Trials:</i> | | | |
| District Civil | -5.6% | 80.6% to 75.0% | No |
| County Court at Law Civil | +33.3% | 66.7% to 100% | No |
| Felony Criminal | +0.9% | 70.8% to 71.7% | No |
| Misdemeanor Criminal | +29.1% | 25.0% to 54.1% | No |
| <i>Bench Trials:</i> | | | |
| District Civil | n/a | n/a to 90.0% | Yes |
| County Court at Law Civil | +3.9% | 90.5% to 94.4% | Yes |
| Felony Criminal | +45.5% | 33.3% to 78.8% | No |
| Misdemeanor Criminal | -33.3% | 33.3% to 0% | No |
| Family | | 75.8% to 85.2% | No |
| <i>CourTool 6: Reliability and Integrity of Case Files</i> | | | |
| Pending District Civil | Unchanged | 75% to 75% | No |
| Closed District Civil | Unchanged | 90% to 90% | No |
| Pending Felony | Unchanged | 95% to 95% | Yes |
| Closed Felony | Unchanged | 95% to 95% | Yes |
| Pending Misdemeanor | -20% | 100% to 80% | No |
| Closed Misdemeanor | -10% | 90% to 80% | No |
| Pending Family Law | Unchanged | 85% to 85% | No |

| | | | |
|--|-----------|---------------------|-----|
| Closed Family Law | Unchanged | 90% to 90% | No |
| <i>CourTool 7: Collection of Monetary Penalties</i> | | | |
| Misdemeanor | -6.3% | 89.3% to 83.0% | No |
| Felony | +3.9% | 69.3% to 73.4% | No |
| <i>CourTool 8: Effective Use of Jurors</i> | | | |
| Juror Yield | -3.8% | 29.9% to 26.1% | No |
| Percent Selected as Jurors | -0.4% | 9.7% to 9.3% | No |
| Percent Sent for Jury Selection | +0.2% | 34.7% to 34.9% | No |
| Percent Sent to Courtroom & Utilized | +0.8% | 66.1% to 66.9% | No |
| <i>CourTool 9: Court Employee Satisfaction (overall index score)</i> | -4.7 | 84.5 to 79.8 | No |
| <i>CourTool 10: Cost per Case³</i> | | | |
| District Civil | -34.14 | \$371.48 - \$337.34 | n/a |
| County Court at Law Civil | +13.48 | \$102.75 - \$116.23 | n/a |
| Felony Criminal | +24.89 | \$129.55 - \$154.44 | n/a |
| Misdemeanor Criminal | +9.86 | \$58.88 - \$68.74 | n/a |
| Family | +20.37 | \$64.73 - \$85.10 | n/a |
| Juvenile | +35.51 | \$85.12 - \$120.63 | n/a |

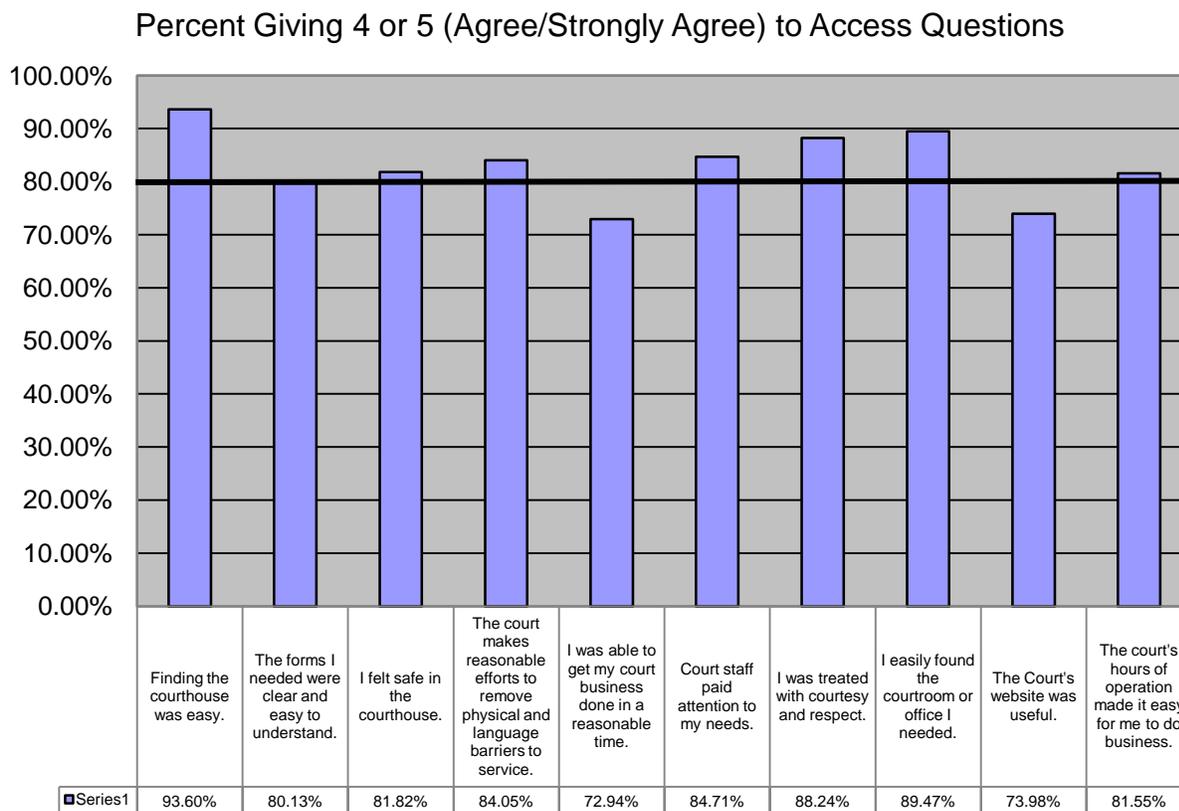
³ The figures reported in cost per case are balanced for inflation from 2007 to 2008.

CourTools Measure 1: Access and Fairness

The access and fairness measure is a survey of all court users on a typical day on the court's accessibility and its treatment of the customers in terms of fairness, equality and respect. Access and Fairness are two of the most crucial components to the delivery of services by the judiciary.

PERFORMANCE GOAL: It is a goal of the Courts that 80% of those surveyed should rate all measures at a 4 or 5 (agree/strongly agree).

The survey was given on May 6, 2008, a typical day at the courthouse. Surveys were collected at the east and west public entrances of the building. Two hundred thirty-three surveys were received from those individuals exiting the courthouse, up 24% from the previous survey.



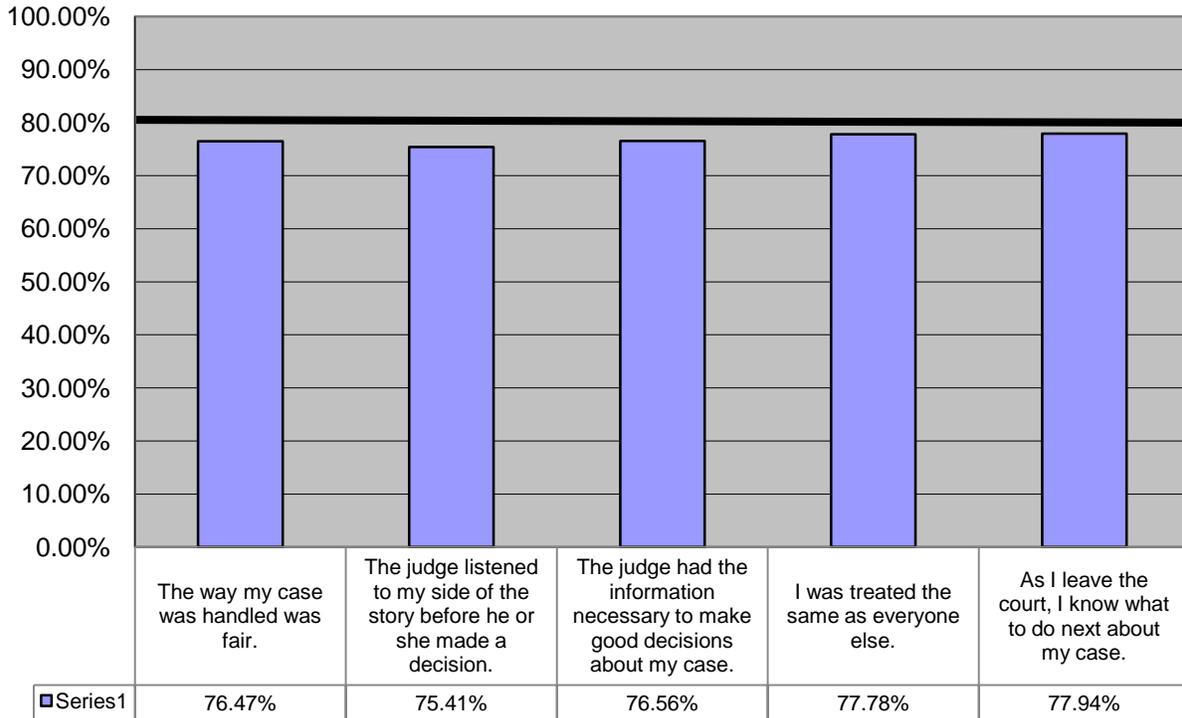
The overall index score for the Access portion of the survey was 87.0 (out of a possible 100). It is apparent that the courts have met the goal in most areas of the survey. In addition, while improving from year to year, the usefulness of the Court's website continues to stick out as an area where improvement is needed.⁴ It should be noted that almost all access questions dropped from the previous survey. The exceptions were question #1 (find the courthouse), #2 (forms clear and easy to understand) and #7

⁴ It is worth noting that the court's website has been identified as an issue since the original public access survey in 2006. However, due to improvements to the website, this measure has increased from 59.2% rating the website a 4 or 5 in 2006 to 74% rating it a 4 or 5 in the most recent survey.

CourTools Measure 1: Access and Fairness (cont.)

(treated with courtesy and respect). Lastly, the largest drop from the previous survey was in question #3 (safe in the courthouse), which dropped by over fifteen percent to the lowest level of satisfaction since measurement began.

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

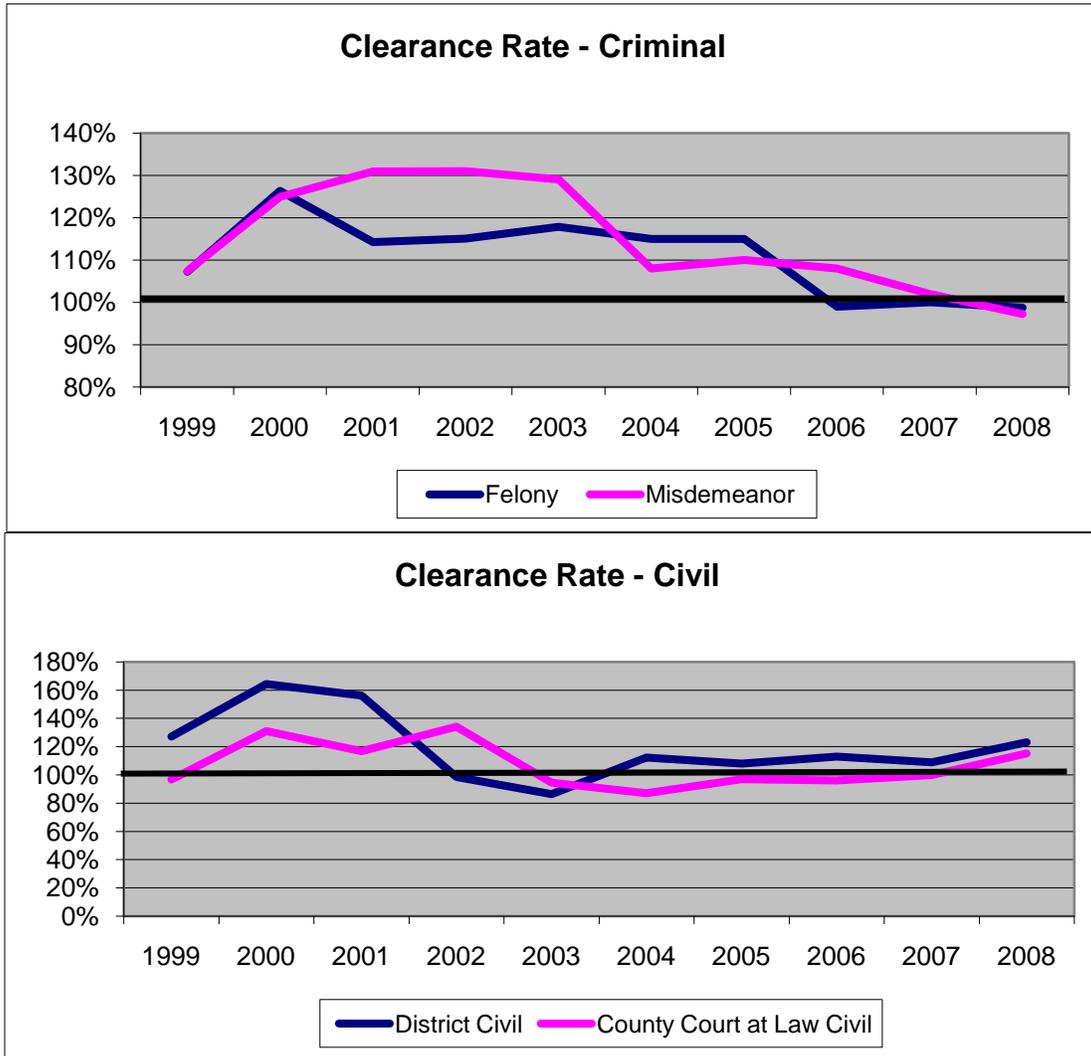


The overall index score for the Fairness portion of the survey was 82.68 (out of a possible 100), which is 9.9 points higher than the previous survey. The court was unable to meet the standard in all of the five questions of the fairness portion of the survey, down from meeting three in the previous survey. The largest decrease was in Question #2 of the fairness portion (judge listened to my side of the story).

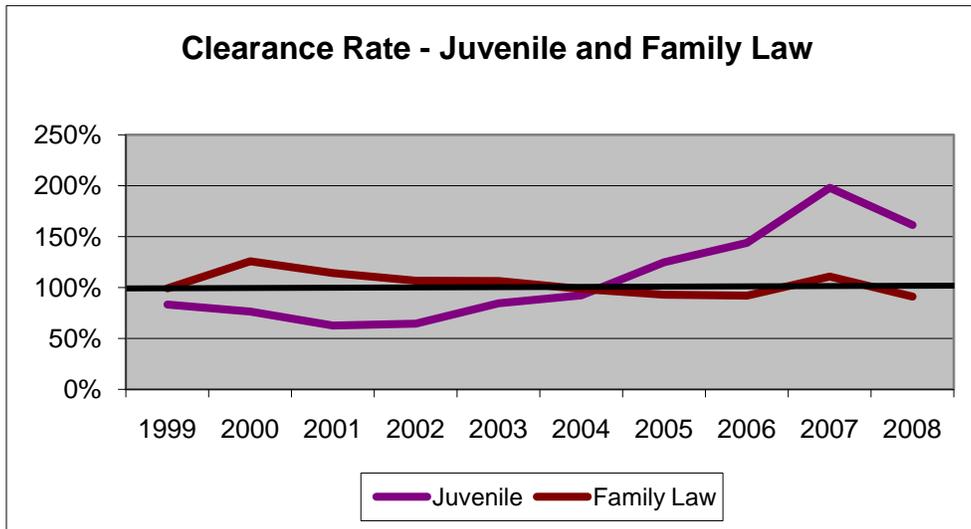
CourTools Measure 2: Clearance Rates

The clearance rate is one of four measures that provides a snapshot of the effectiveness of the case management practices of the Court.⁵ In layman's terms, the measure shows whether the Court is keeping up with its incoming caseload.

PERFORMANCE GOAL: *It is the goal of all Courts in Lubbock County to have a clearance rate of 100 percent.*



⁵ The other three measures are Measure 3 (Time to Disposition), Measure 4 (Age of Pending Caseload) & Measure 5 (Trial Date Certainty).



As can be seen from the graphical presentations, the 2008 clearance rates for half of the courts' case types were above 100 percent [District Court Civil (123%), County Court at Law Civil (115%) and Juvenile (161%)]. However, the criminal case types [Felony (99%) and Misdemeanor (97%)] fell below the 100% standard. In addition, the Family Law case type fell 20% from 2007 to 91%.

Overall, the Lubbock County Court system had 18,250 cases filed and disposed of 18,487 cases during calendar year 2008, which translates into a 101% clearance rate. These numbers translate into a 8.5% decrease in case filings and a 13.6% decrease in dispositions over calendar year 2007.

All but two of the Lubbock County clearance rates were higher than the 2008 statewide clearance rates of 97% for Felony, 105% for Misdemeanor, 99% for District Court Civil, 106% for County Court at Law Civil, 98% for Family Law and 96% for Juvenile. Misdemeanor and family law clearance rates for Lubbock County fell below the state averages for those case types.

CourTools Measure 3: Time to Disposition

The time to disposition measures the number of days from filing until the time a case is closed. The data provides a picture of how long it takes the Courts to process cases and compares that time with established standards. This information allows the Court to focus attention on what is required to ensure cases are brought to completion within reasonable timeframes.

PERFORMANCE GOAL: It is a goal of the Courts that 100% of cases should be disposed within the locally established guidelines.

The Lubbock County Court system has adopted the following case processing standards:

| Civil | Case Processing Standard |
|---|--|
| Level One (monetary value less than \$50,000 – Tex. R. Civ. P. 190.1) | 90% within 8 months 98% within 10 months 100% within 12 months |
| Level Two (cases outlined by Tex. R. Civ. P. 190.3) | 90% within 14 months 98% within 16 months 100% within 18 months |
| Level Three (cases outlined by Tex. R. Civ. P. 190.4) | 90% within 20 months 98% within 22 months 100% within 24 months |

| Criminal | Case Processing Standard |
|--|---|
| Level One (State Jail Felony, 3 rd degree felony) | 100% within 9 months of arraignment |
| Level Two (1 st or 2 nd degree felony) | 100% within 12 months of arraignment |
| Level Three (Capital Murder Cases) | 100% within 18 months of arraignment |
| Misdemeanors | 100% within 6 months of arraignment |

| Family Law | Case Processing Standard |
|--|---|
| Level One (Divorce not involving children, <\$50,000 marital estate) | 100% within 6 months of answer date |
| Level Two (Suit under Tex. Family Code Title 1, 2 or 5 and/or substantial property issues) | 100% within 9 months of answer date |
| Level Three (Suit under Tex. Family Code Title 1, 2 or 5 and/or substantial property issues and/or complex legal issues) | 100% within 12 months of answer date |

CourTools Measure 3 (cont.)

Below is the listing of what percentage of cases closed in 2008 meet the standards established by the Courts:

District Court Civil –

Level One: 77.6% were disposed within the 12-month standard
Level Two: 93.3% were disposed within the 18-month standard
Level Three: 92.9% were disposed within the 24-month standard

County Court at Law Civil –

Level One: 79.8% were disposed within the 12-month standard
Level Two: 93.2% were disposed within the 18-month standard
Level Three: 100% were disposed within the 24-month standard

Criminal –

Felony:

Level One – 75.4% were disposed within the 9-month standard
Level Two – 76.0% were disposed within the 12-month standard
Level Three – 57.1% were disposed within the 18-month standard

Misdemeanor: 40.9% were disposed within the 6-month standard

Family Law –

Level One: 84% were disposed within the 6-month standard
Level Two: 84.7% were disposed within the 9-month standard
Level Three: 85.7% were disposed within the 12-month standard

Juvenile⁶ -

Detention – 28.8% were disposed within the 15-day standard
Out of detention – 34.3% were disposed within the 30-day standard

⁶ The Courts have not adopted a local guideline for the disposition of juvenile cases. In addition, the Court does not track juvenile cases based upon their detention status. For the purposes of this measure, the COSCA and ABA Case Processing Standards are used (15 days in detention and 30 days out of detention), and the measures are shown assuming all were in detention and all were out of detention.

CourTools Measure 4: Age of Pending Caseload

The age of pending caseload measures the number of days from filing until the time of measurement. Having the data from this measurement provides a picture of the number and type of cases drawing near or about to surpass the court's case processing time standards. Coupled with the data from CourTools Measure 3, this information allows the Court to focus attention on what is required to ensure cases are brought to completion within established timeframes.

The Lubbock County Court system has adopted the case processing standards as noted in CourTools Measure 3 above.

PERFORMANCE GOAL: It is a goal of the Courts that 100% of cases should be disposed within the locally established guidelines.

District Court Civil –

Level One (7% of the caseload): 90% are within the 12-month standard

Level Two (70.5% of the caseload): 87.3% are within the 18-month standard

Level Three (22.5% of the caseload): 96.9% are within the 24-month standard

County Court at Law Civil –

Level One (66.9% of the caseload): 71.9% are within the 12-month standard

Level Two (30.7% of the caseload): 86.3% are within the 18-month standard

Level Three (2.4% of the caseload): 100% are within the 24-month standard

Criminal –

Felony:

Level One (64.7% of the caseload) – 70.7% are within the 9-month standard

Level Two (34.5% of the caseload) – 72.1% are within the 12-month standard

Level Three (0.8% of the caseload) – 66.7% are within the 18-month standard

Misdemeanor: 58.4% are within the 6-month standard

Family Law –

Level One (23.8% of the caseload): 85.6% are within the standard

Level Two (75.4% of the caseload): 77.0% are within the standard

Level Three (0.8% of the caseload): 100% are within the standard

Juvenile -

Detention – 15.4% are within the 15-day standard

Out of detention – 16.7% were disposed within the 30-day standard

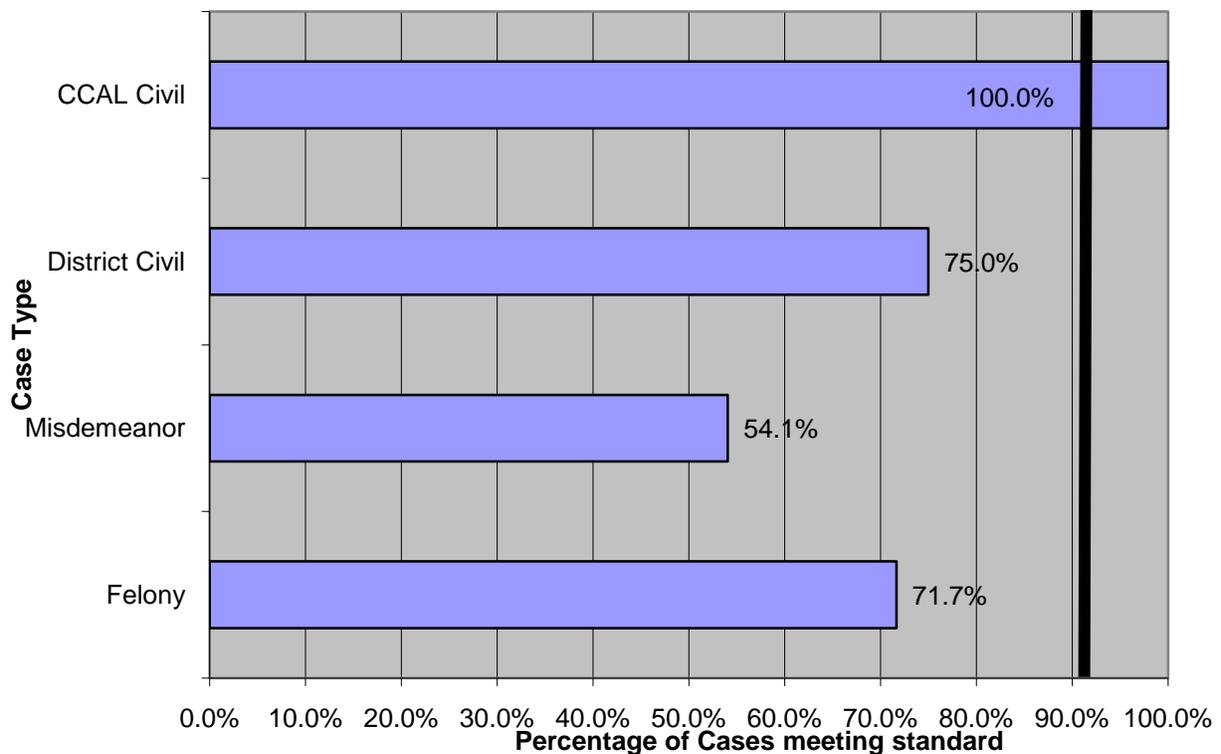
CourTools Measure 5: Trial Date Certainty

The Lubbock County Court system had 128 jury trials in 2008, up slightly from 123 in 2007 (4% increase). The criminal division of courts experienced a 12.8% increase in jury trials (97 jury trials), while the civil division of courts experienced a 16.2% decrease in jury trials (31 jury trials).

A testament to the case management and alternative dispute resolution practices of the court, less than 2% of the total cases filed were tried (Felony – 2.33%; Misdemeanor – 0.70%; District Civil – 2.10%; County Court at Law Civil – 1.29%; Family Law – 3.24%). That being said, one of the basic tenets of case management practice is that a court should hold trial on the first date that the case is scheduled to be heard. The trial date certainty measures the number of times cases disposed of by trial are placed on the court's calendar.

PERFORMANCE GOAL: *It is a goal of the Courts that 90% of cases disposed by trial should actually go to trial on the first or second trial date.*

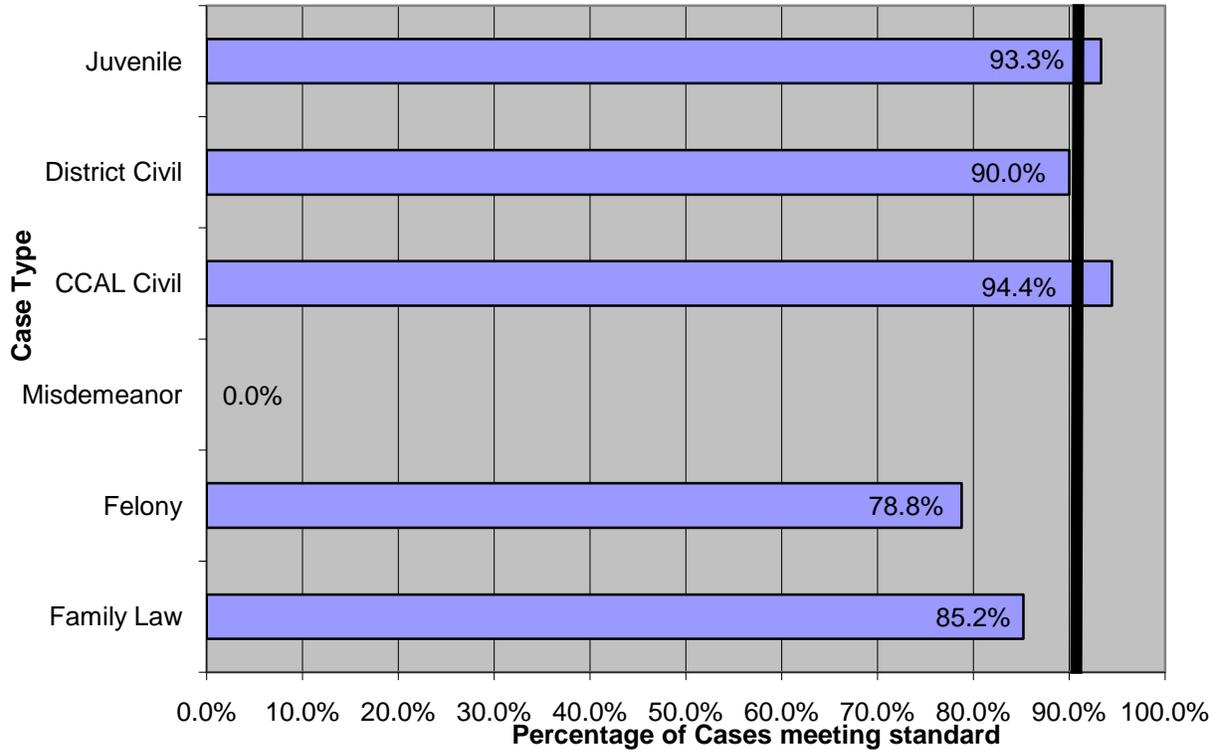
Jury Trial Date Certainty



CourTools Measure 5 (continued)

The Lubbock County Court system heard over 227 contested bench trials in 2008. Of those, 149 were family law trials, 35 criminal trials, 28 civil trials and 15 juvenile trials. The total bench trials increased 32.7% from 2007.

Bench Trial Date Certainty



The following chart reveals the average number of trial settings for each case type in 2008:

| Case Type | Trial Type | Average Number of Settings |
|-----------------------|------------|----------------------------|
| District Civil | Jury | 1.9 |
| | Bench | 1.4 |
| Co Court at Law Civil | Jury | 1.3 |
| | Bench | 1.3 |
| Felony | Jury | 2.6 |
| | Bench | 2.0 |
| Misdemeanor | Jury | 2.9 |
| | Bench | 6.5 |
| Family | Jury | 2.6 |
| | Bench | 1.7 |
| Juvenile | Bench | 1.1 |

CourTools Measure 6: Reliability and Integrity of Case Files

The Reliability and Integrity of Case Files measure looks at the ability of the court and court users to find case files and to rely upon their completeness and accuracy. Having a reliable and accurate case file is essential to the effectiveness of day-to-day court operations and fairness of judicial decisions. It also affects the timeliness and integrity of case processing.

PERFORMANCE GOAL: It is a goal of the Courts that 95% of case files should be able to be located in 15 minutes or less, that the case files correspond with the electronic docket 95% of the time, and that 95% of the case files should conform to established content criteria.

In order to determine the percentage of files available in fifteen minutes or less, a list of cases was submitted to the clerks' offices. The time to locate the file was notated and is reported below. In order to determine the correspondence rate, the paper files were compared with the electronic files to see if both matched. In order to determine the conformance rate, criteria were established for each case type (i.e. petition, service, judgment in file, etc). The files were examined to determine if those criteria were met in each file.

| Case Type | % found in 15 minutes | % Corresponding with electronic file | % Compliance with all criteria |
|---------------------|-----------------------|--------------------------------------|--------------------------------|
| Pending Civil | 100% | 100% | 75% |
| Closed Civil | 100% | 90% | 90% |
| Pending Felony | 100% | 95% | 95% |
| Closed Felony | 100% | 95% | 95% |
| Pending Misdemeanor | 75% | 80% | 80% |
| Closed Misdemeanor | 100% | 80% | 80% |
| Pending Family Law | 95% | 90% | 85% |
| Closed Family Law | 100% | 100% | 90% |

As can be seen from the table above, the case files provide a high level of reliability and integrity. While this study looked at only a small sample of twenty cases, the measure shows that the clerks' offices are doing a good job maintaining the court files.

CourTools Measure 7: Collection of Monetary Penalties

The collection of monetary penalties measure looks at how well the court is doing in collecting monetary penalties that are ordered. Accountability to and the enforcement of court orders is essential to the successful functioning of the courts. The data provides a picture of what percentage of the monetary penalties that are ordered by the court are collected. It also allows the court to calculate the average amount of time that individuals are taking to pay the penalties. Armed with this information, the courts can determine if current collection methods are sufficient.

PERFORMANCE GOAL: It is a goal of the Courts that the overall compliance rate should be 100%.

In order to determine the overall compliance rate for 2008, monetary penalty and collection data from a statistically significant and random selection of misdemeanor and felony cases was collected. The collection data included actual dollars paid, as well as jail conversion and work conversion.

| Case Type | Preliminary Compliance Rate (monetary collections only) | Overall Compliance Rate (monetary + jail/work conversion) |
|--------------|--|---|
| Misdemeanor | 43.5% | 83.0% |
| Felony | 70.8% | 73.4% |
| Total | 48.8% | 81.1% |

As can be seen from the table above, just under half of the assessed monetary penalty is paid through monetary means, while an additional third is satisfied through other means, including jail and work programs. While the overall compliance rate of 81.1% is lower than the established goal, it shows that the courts' orders are being enforced in most cases.

CourTools Measure 8: Effective Use of Jurors

The right to a trial by a jury of one's peers is a fundamental right of Texas citizens. However, managing the jury system effectively is essential to the preservation of that right. Measure 8 takes into account the percentage of citizens available to serve, as well as the usage of those citizens who appear for jury duty.

The following specific measures are determined by CourTool 8. The juror yield rate 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. The percent selected as jurors is the number of citizens placed on juries, expressed as a percentage of the total qualified and reporting to serve. The percent sent for jury selection is the number of citizens sent to a courtroom for jury selection, expressed as a percentage of the total qualified and reporting to serve. The percent sent to the courtroom and utilized is the number of jurors necessary to seat a jury, expressed as a percentage of the total number of jurors sent to the courtroom.

PERFORMANCE GOAL: It is a goal of the Courts that the juror yield rate be at least 40%, the percent selected as jurors be at least 30%, the percent sent for jury selection be at least 90%, and the percent sent to the courtroom and utilized be at least 90%.

| Juror Yield & Utilization Measurement | Percentage |
|--|------------|
| Jury Yield | 26.1% |
| Percent Selected as Jurors | 9.31% |
| Percent Sent for Jury Selection | 34.89% |
| Percent Sent to Courtroom and Utilized | 66.93% |

As can be seen from the two tables above, the Courts are not meeting the standard in any of the measurements of CourTool 8. The jury yield of 26.1 percent is well below the performance goal of 40 percent. Comparing the percent selected as jurors (9.31% versus the performance goal of 30%), the percent sent for jury selection (34.89% versus the performance goal of 90%), and the percent sent to the courtroom and utilized (66.93% versus the performance goal of 90%) reveals that there is a need for significant improvement. As will be seen from the strategies section of the report, the Board of Judges, in conjunction with the Lubbock County Commissioners Court and District Clerk, will be striving to implement revolutionary changes to improve the data in these measurements, and most importantly, the use of our citizens' time.

CourTools Measure 9: Court Employee Satisfaction

The Lubbock County Court system is intimately aware that committed and loyal employees have a direct impact on the Court's performance. Because the Court is striving for superb court performance, evaluating and making adjustments to employee satisfaction is a crucial part of the Court's direction.

PERFORMANCE GOAL: It is a goal of the Courts that 80% of employees should rate all measures at a 4 or 5 (agree/strongly agree).

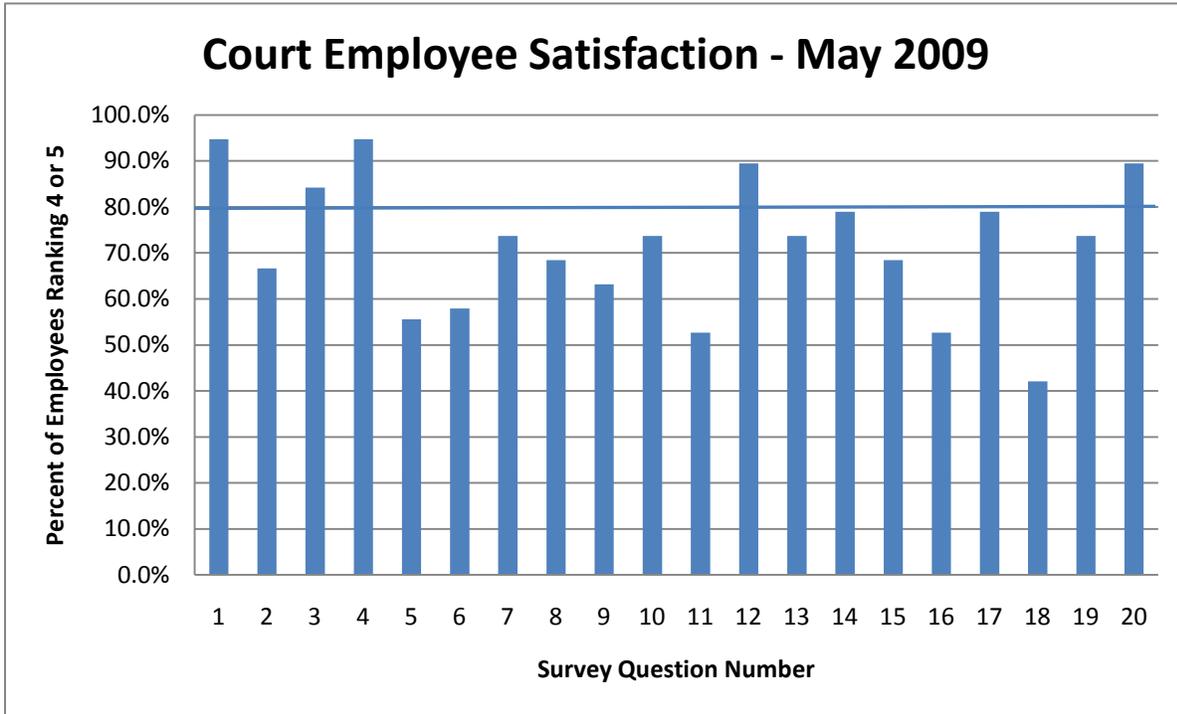
Below is an overview of the Court Employee Satisfaction survey that was taken in May 2009. The survey response rate was 95% for the court administrative staff (survey administered online) and a 40% survey response for the court reporters (survey administered in paper format) for an overall response rate of 77%. A memo summarizing the findings was presented to the Court and efforts have been made to address the issues involved. The survey will be repeated bi-annually to track historical employee satisfaction.

Overall Rating of Employee Satisfaction

| Court Employee Satisfaction Survey (1=Strongly Disagree, 5=Strongly Agree) | Average Scores |
|---|----------------|
| 1. I understand what is expected of me. | 4.4 |
| 2. I am kept informed about matters that affect me. | 3.9 |
| 3. I have the resources (<i>materials, equipment, supplies, etc</i>) necessary to do my job well. | 4.2 |
| 4. I am able to do my best every day. | 4.4 |
| 5. Communication within my department is good. | 3.7 |
| 6. In the last month, I was recognized and praised for doing a good job. | 3.3 |
| 7. Someone in the court cares about me as a person. | 3.9 |
| 8. I have opportunities to express my opinion about how things are done in my division. | 3.9 |
| 9. The court is respected in the community. | 4.1 |
| 10. My coworkers work well together. | 4.0 |
| 11. I am encouraged to try new ways of doing things. | 3.7 |
| 12. I understand the connection between the work I do and the mission and goals of the court. | 4.4 |
| 13. My working conditions and environment enable me to do my job well. | 4.2 |
| 14. I feel valued by my supervisor based on my knowledge and contribution to my department. | 4.2 |
| 15. I feel free to speak my mind. | 3.9 |
| 16. In the last month, someone in the court has talked to me about my performance. | 3.2 |
| 17. I enjoy coming to work. | 4.3 |
| 18. My coworkers care about the quality of services and programs we provide. | 3.6 |
| 19. I am treated with respect. | 4.1 |
| 20. I am proud that I work in the court. | <u>4.5</u> |
| Overall Index Score = 79.8 | |

CourTools Measure 9 (continued)

The chart below details the percentage of court employees ranking each question a 4 (Agree) or 5 (Strongly Agree).



The Courts experienced drops in Court Employee Satisfaction in 10 of the 20 questions on the survey. There were significant drops in questions 5, 9 and 10. While this is a major concern for the Courts, five questions increased in satisfaction levels, with significant increases in questions 7, 12 and 19.

CourTools Measure 10: Cost per Case

The cost per case measure provides a management tool to see where resources of the Court are being directed. In order to reach the cost per case, total costs are allocated among the case types according to the allocation of staff; then, the total cost is divided by the number of dispositions by case type. Since this measure is analyzed from year to year, the Court will be able to evaluate the return on investment in new technologies, reengineering of business practices, staff training, or the adoption of “best practices.”

The focus of this measure for the Lubbock County Court system is only on the actual Court expenditures (judges/staff costs and operational expenses) and does not include other expenses related to specific case processing (i.e. court appointed attorneys, etc).

| Case Types | 2008 Cost per Case |
|---------------------------|--------------------|
| District Civil | \$337.34 |
| County Court at Law Civil | \$116.23 |
| Felony Criminal | \$154.44 |
| Misdemeanor Criminal | \$68.74 |
| Juvenile | \$120.63 |
| Family Law | \$85.10 |

Utilizing the data from the Texas Weighted Caseload Study provides a better comparison of the cost per case as detailed below (for District Court level cases)⁷:

| Case Types | Average Minutes per case ⁸ | Weighted Cost per case per minute |
|-----------------|---------------------------------------|-----------------------------------|
| District Civil | 60.7 | \$6.07 |
| Felony Criminal | 64.3 | \$2.62 |
| Juvenile | 54 | \$2.44 |
| Family Law | 42.5 | \$2.19 |

⁷ Only District Court cases were examined by the Texas Weighted Caseload Study.

⁸ The average minutes per case was determined by applying the case weights from the Texas Weighted Caseload Study to the number of filings of each case type in Lubbock County in 2007.

Where do we go from here...

Armed with the data gained in the CourTools measures, it becomes crucial for the Courts to evaluate what the data says about the status of the Courts and where the Courts can improve. This section of the report will evaluate the data and provide details about future improvements that the Courts are committed to making.

Measure 1: Access and Fairness

While the overall outcome of the Access and Fairness Survey was positive and many questions met the established goal, there are multiple concerns for the courts.

Access:

Strategy 1: The Courts should develop forms that are more user-friendly and meet the needs of the litigants and/or attorneys using the courts. The Courts should explore online document assembly as a method to achieve this strategy.

Strategy 2: The Courts should work with the Lubbock County Sheriff and the Commissioners Court to develop better security measures to ensure individuals feel safer in the Courthouse. *(continued from 2007 report)*

Strategy 3: The Courts should review the scheduling mechanisms used by each Court to ensure that the time required for attorneys and/or litigants to complete their business is as minimal as necessary. *(continued from 2007 report)*

Fairness:

Strategy 4: Judges should review current courtroom practices to determine if there are ways to improve the impression of litigants that they are treated more fairly. *(continued from 2007 report)*

Strategy 5: The Courts should review practices regarding notifying litigants of the next steps in case processing as litigants leave the courtroom. *(continued from 2007 report)*

Measure 2: Clearance Rates

While 2007 saw all case types above the 100% clearance rate goal, 2008 saw half of the case types slip, with family law cases slipping significantly below 100%.

Strategy 6: 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 2005 report).

Strategy 7: The Courts should continue to monitor the clearance rates of all case types, but especially on the rates in the criminal and family law case types, to ensure that the Courts are able to maintain an adequate rate in the face of increasing filings.

Measure 3: Time to Disposition and Measure 4: Age of Pending Cases

These measures produced completely mixed results, with some case types experiencing positive movement and others experiencing negative movement. It appears that there was significant effort to move cases that had aged beyond the guidelines, resulting in a decrease in the percentage of cases within the time standards. Coupled with the increase in the percentage of cases pending that are within the time standards, it appears that the Courts are working successfully on reducing the backlog. This is a direct result of a recommendation from the 2007 report to focus on that backlog. Regardless of those results, the Courts realize that there is still work left to be done to meet the established standards. If the Courts can ensure that 100% of cases meet the established standards, litigants and other affected parties will see a more efficient and just resolution to their cases, leaving them with even more trust and confidence in the Court system. The Courts will take the following action to assist in meeting the established standards:

Strategy 8: In conjunction with the Lubbock County Information Technology 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 2005 report)*

Strategy 9: The Courts should consider establishing local guidelines for the disposition of juvenile cases. *(continued from 2007 report)*

Strategy 10: The Courts handling juvenile cases should develop different tracks based upon whether the juvenile is in detention or out of detention and ensure that those cases meet the established guidelines. *(continued from 2007 report)*

Measure 5: Trial Date Certainty

The data of trial date certainty reveals that scheduling practices of the Courts affect the trial date certainty. It is crucial to case management that attorneys and litigants know that they will go to trial on the date they are scheduled. This encourages preparation and therefore settlement and less delay. The Courts increased in all but one case type with respect to jury trial date certainty, revealing a focus on this measure. The same was true of the bench trial date certainty measure, except for the misdemeanor criminal bench trial date certainty, which fell to zero percent. That being said, none of the jury trial date certainty measures and only two out of five of the bench trial date certainty measures were within the established guidelines.

The Courts will implement the following strategies to improve trial date certainty:

Strategy 11: The Courts will draft a consistent, written trial continuance policy that will assist the Courts in controlling continuances. *(continued goal from 2005 report).*

Strategy 12: The Courts hearing 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 2005 report).*

Strategy 13: In conjunction with the Lubbock County Information Technology department, the Courts will establish an automated monitoring method for court staff and judges to see number of trial settings for cases easily for each case.

Measure 6: Reliability and Integrity of Case Files

Measure 6 revealed that the clerks' offices are doing a very good job ensuring reliability and integrity of the case files. However, the study only reviewed a total of twenty files of each case type.

Strategy 14: The Clerks' Offices should consider instituting a regular quality control program whereby individual clerks review files on a regular basis. For instance, some clerks' offices have instituted programs where each deputy clerk reviews one file per day based upon pre-established criteria. Using this type of program, the Lubbock County District Clerk's Office and County Clerk's Office would review over 7,500 files per year. *(continued from 2007 report).*

Measure 7: Collection of Monetary Penalties

The overall compliance rate this year shows that the Collections Department continues to have some success in collecting the amounts ordered by the Court. This year, both misdemeanor and felony case types were reviewed. Comparing the compliance rates from last year to this year shows fairly steady collections, with misdemeanor collections dropping by 6.3% and felonies increasing by 3.9%. However, neither compliance rate for felonies and misdemeanors meets the established goal of 100%. It should be noted that the actual dollars collected in the sample of cases was just 43.5% for misdemeanors and 70.8% for felonies (total of 48.8% combined). While some of the additional amount was undoubtedly paid through work service to Lubbock County, some of the time was paid through sitting out the costs in jail. Sitting those costs in jail results in a loss to Lubbock County due to the decreased revenue and the increased expense of housing the offender. The Courts will implement the following strategies:

Strategy 15: The Courts will monitor the overall compliance rate and will work with the Collections Department to limit the amount of time offenders are spending in jail to sit out costs.

Measure 8: Effective Use of Jurors

CourTools Measure 8 has revealed a significant area for improvement in the jury system in Lubbock County. The following strategies will be undertaken by the Courts:

Strategy 16: The courts, in conjunction with the Central Jury Pool, should develop a mechanism to allow for the accurate prediction of the number of jurors necessary to fulfill all needs on the summons date in question. Such a system should provide the Jury Manager at least four weeks notice of the potential jurors needed. *(continued from 2006 report)*

Strategy 17: The Jury Manager should request jurors to be summoned based upon the historical yield rate and the number of jurors requested by the courts. *(continued from 2006 report)*

Strategy 18: The Lubbock County Commissioner's Court, Courts, District Clerk's Office, Central Jury Pool and Information Services Department should collaborate upon a method to allow jurors to report electronically. Such a system should allow jurors to report electronically for duty and to be notified electronically if they will be needed for service on a certain date. The system should be updated by the Jury Manager on the business day previous to the summons date. Only potential jurors who are needed should be required to report for jury duty. Note: The current reporting method must be maintained for potential jurors without access to the electronic reporting mechanism. *(continued from 2006 report)*

Strategy 19: The Lubbock County Board of Judges, in cooperation with the Justice Courts, should enter an order establishing the following standard panel sizes and strongly urging the courts to use the panel sizes for jury selections in which there is not a compelling reason to deviate. *(continued from 2006 report)*

Strategy 20: The courts and the Central Jury Pool should institute a stand-by juror system. The stand-by jurors could be utilized in the rare case where there were insufficient potential jurors on a panel to complete jury selection. The stand-by jurors should be allowed to report electronically and not appear unless called or to leave the Central Jury Pool until called. Stand-by jurors should be "on call" until the next jury summons date.

Measure 9: Court Employee Satisfaction

For the first time since measurement began, the overall index score for Court Employee Satisfaction saw a drop (4.7 points on a 100 point scale). Half of the questions saw a drop from previous years, indicating some dissatisfaction among our employees. Communication continues to be a concern for employees; however, the largest increase related to question #7 (someone in the court cares about me as a person), which had been an issue addressed in the 2007 report.

Strategy 21: The Courts will develop a better method for intradepartmental communication. More frequent staff meetings and communication mechanisms may be beneficial. *(continued goal from 2005 report).*

Strategy 22: 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 2005 report).*

Measure 10: Cost per Case

The cost per case measure provides a glimpse of where the Court's resources are being allocated. There was no significant change in the ranking of the cost per case from 2007 to 2008. After increasing significantly in cost over a two-year period, the District Civil case type saw a decrease in cost in 2008. All other case types saw a minor increase in costs. That being said, the weighted caseload study data reveals the court is spending significantly more on the District Civil case type than any other case type.

Strategy 23: The Courts should review the case and staff allocation to ensure that all case types receive adequate resources. *(continued goal from 2007 report).*

General Strategies

Strategy 24: The Courts will work with the Lubbock County Information Technology department to institutionalize the CourTools Measures so that the reports can easily be run by every judge and court staff member, producing a snapshot of the performance of the court at a given time. *(continued goal from 2005 report).*

Strategy 25: To the point necessary, the Courts will work with the Criminal District Attorney's Office, the Lubbock County Criminal Defense Lawyers' Association, the Lubbock County Bar Association and other specialty bar associations serving the Lubbock County Judiciary to ensure that the integrity and effectiveness of the case management system is maintained and improved. *(continued goal from 2005 report).*

Strategy 26: The Courts should attempt to produce CourTools data on a monthly basis for those measures susceptible to such practice.

Strategy 27: The Courts will produce a report such as this report and release it annually to allow for internal improvement and to allow all interested parties to review the work of the Courts in relation to the established performance goals. *(continued goal from 2005 report).*

Listing of Judges & Courts in Lubbock County

50th District Court (1886-1905)

Judge(s) from 1886-1900 unknown
S.D. Newton (1900-1901)
D.F. Goss (1902-1903)
J.M. Morgan (1904-1905)

64th District Court (1906-1913)

L.S. Kindler (1906-1913)

72nd District Court (1914-present)

W.R. Spencer (1914-1923)
George R. Bean (July 21, 1923 - interim)
Clark Mullican (1923-1927)
Homer L. Pharr (1927-1936)
Dan Blair (1936-1950)
Victor H. Lindsey (1950-1967)
William R. Shaver (1967-1968)
Pat S. Moore (1968-1975)
Denzil Bevers (1975-1987)
J. Blair Cherry, Jr (1988-2006)
Ruben G. Reyes (2006-present)

99th District Court (1927-present)

Clark Mullican (1927-1936)
E.L. Pitts (1936-1942)
J.E. Vickers (1942-1944)
G.V. Pardue (1944-1952)

James Denton (1952-1960)
Howard C. Davidson (1960-1974)
Thomas Clinton (1974-1994)
Mackey K. Hancock (1994-2005)
William C. Sowder (2005-present)

137th District Court (1965-present)

James A. Ellis (1965-1971)
Robert C. Wright (1971-1986)
Madison Sowder (1986-1987)
Cecil G. Puryear (1987-present)

140th District Court (1955-present)

Robert Bean (1955-1969)
William R. Shaver (1969-1996)
Jim B. Darnell (1996-present)

237th District Court (1977-present)

John R. McFall (1977-1998)
Sam Medina (1998-present)

364th District Court (1989-present)

Bradley S. Underwood (1989-present)

Listing of Judges & Courts in Lubbock County

County Judges (1891-present)

G.W. Shannon (1891-1894)
P.F. Brown (1894-1898)
W.D. Crump (1898-1902)
George R. Bean (1902-1906)
John R. McGee (1906-1912)
E.R. Haynes (1912-1916)
J.H. Moore (1916-1920)
P.F. Brown (1920-1924)
Charles Nordyke (1924-1928)
Robert H. Bean (1929-1930)
E.L. Pitts (1930-1936)
J.J. Dillard (1936-1941)
G.V. Pardue (1941-1945)
Walter Davies (1945-1955)
Dudley Brummett (1955-1958)
Bill Davis (1959-1964)
William Shaver (1964)
Rod Shaw (1964-1990)
Don McBeath (1990-1998)
Thomas V. Head (1998-present)

County Court at Law No. 1 (1949-present)

James Denton (1949-1952)
Robert J. Allen (1952-1964)
James A. Ellis (1964-1965)
Edwin Boedeker (1965-1982)
Cecil G. Puryear (1982-1986)
Will C. Dodson (1986-1995)
Sam Medina (1995-1998)
Larry B. "Rusty" Ladd (1998-present)

County Court at Law No. 2 (1957-present)

Pat S. Moore (1957-1968)
Denzil Bevers (1968-1974)
Dudley Brummett (1975)
Gordon Treadway (1975-1976)
J.Q. Warnick, Jr. (1976-1984)
Mackey K. Hancock (1984-1986)
Bradley S. Underwood (1986-1989)
Tom Cannon (1990-1998)
Drue Farmer (1998-present)

County Court at Law No. 3 (1987-present)

Tom Cannon (1987-1989)
Mackey Hancock (1989-1994)
Paula Lanehart (1995-2008)
Judy C. Parker (2008-present)

COURT STRUCTURE OF TEXAS

SEPTEMBER 15, 2008

