

CORE COMPETENCY: ACCOUNTABILITY AND COURT PERFORMANCE-PART A

Coming out of the basement: Data governance & public trust

NACM 2020 Virtual Conference

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Learning Objectives

- Participants will be able to:
 - Describe the NACM Core Competency of accountability and court performance
 - Understand the role data governance plays in accountability and court performance
 - Describe at least three aspects of data governance
 - Identify the court's next step in developing/implementing data governance

NACM Core Competency: Accountability and court performance

Thinking that the court is performing at its best and knowing it are two different things. Court leaders are accountable to both the judiciary and the public for a well-run court, which means that managers must be able to both effectively measure and manage performance. Skillful collection and analysis of performance information ensures that court managers no longer just think the court is performing well but are able to demonstrate it.

<https://nacmcore.org/competency/accountability-and-court-performance/>

Relevance of accountability and court performance

- Use tools
 - Time Standards: https://www.ncsc.org/data/assets/pdf_file/0032/18977/model-time-standards-for-state-trial-courts.pdf
 - CourTools: www.courtools.org
 - High Performance Court Framework: <https://www.ncsc.org/information-and-resources/resource-centers/resource-centers-items/high-performance-courts>
 - Principles for Judicial Administration: https://www.ncsc.org/information-and-resources/resource-centers/resource-centers-items/budget-resource-center/analysis_strategy/principles-of-judicial-administration
- To move from performance measurement to performance management

Application of accountability & court performance

- Organize, collect, analyze, and systematize data (analysis)
- Apply knowledge gained to improve court performance (management)
- Share information about performance (communication)

<https://nacmcore.org/competency/accountability-and-court-performance/>

Data governance is the key to using data to improve court performance



* DILBERT © Scott Adams. Used By permission of ANDREWS MCMEEL SYNDICATION. All rights reserved.

Bad Data

- When it was in a box in the basement of the courthouse, no one knew (and few cared)
- Using incomplete or wrong data is often worse than not using data at all



Data Governance

Is the framework by which courts

- reach and communicate organizational decisions around data,
- ensure that business activities and data management are synchronized, and
- Develop & document long- and short-term strategies around the collection, use, and disposal of data.



Data Governance

Poll: Do you have a data governance policy?

- A. Yes, and it's fairly complete
- B. We have pieces of one
- C. We've kind of talked about it
- D. What's data governance, again?



Data Governance Principles

1. Treat court data as a strategic asset
2. Establish & keep data quality as part of the strategic plan & day-to-day practice of the courts
3. Identify key personnel. Designate who has responsibility for data governance & data quality
4. Have practical data standards in place



Data Governance Principles

5. Have a plan and consistent strategy to identify and solve data problems
6. Make innovation and learning part of the court culture
 - Knowing what data are available and how to use it!
7. Establish a mechanism to resolve conflicts among stakeholders



For data to be a strategic asset, it must be:

- Accessible
- Accurate
- Standardized





Who else is old enough to remember this?

- Who knew if there was incorrect information in the file?



Changes in court data



Maryellen O'Shaughnessy
Franklin County Clerk of Courts

Home
Case Information Online
Court Schedule

Last Name: First Name: Middle Init: Court: All Case: 03 CR 008168

Advanced Search Email Updates

CRIMINAL CASE DETAIL

Previous Case
Next Case

CASE NUMBER	HOW FILED	DATE FILED	MUN	COMP	ARREST DATE	STATUS
03 CR 008168	INDICTMENT	12/04/2003	CPD	No Comp	01/14/2003	CLOSED

JUDGE	COURTROOM	PROSECUTOR
DAVID C YOUNG	COURTROOM 7A 345 SOUTH HIGH STREET 7TH FLOOR COLUMBUS, OH 43215	ROBERT C LOPEZ

DEFENDANT(S)	
Name	Attorney
JONATHAN E WILLIAMS	MARY J SMITH
Co-Defendant(s) None	

CHARGES (Disclaimer: The listed "Off. Date" may be inaccurate on cases filed prior to 10/9/92. This is the date the electronic docket for this case was converted to a new system, and not the actual date of the Offense. See docket entries below for Case History.)

Off. Date	Code	Description	Disposition	Degree
01/14/03	2925.11	POSSESSION OF DRUGS	PLEA OF GUILTY TO THE INDICTMENT	F4
Specifications: None				

BONDS

Date	Type	Status	Amount	Description	Posted By
05/13/05	SURETY	ACTIVE	2,500.00	DEFENDANT RECOGNIZED - SURETY BOND	S.M.D. & H.L.S. BONDING
05/13/05	RECOG	ACTIVE	1,000.00	DEFENDANT RECOGNIZED - RECOGNIZANCE BOND	N/A
08/17/05	RECOG	ACTIVE	10,000.00	BOND SET - RECOGNIZANCE	N/A

DOCKET Show All Descriptions Select Docket Category All

Date	Chg. Description	Image	Fiche	Frame	Pages
06/03/11	00 MASS TRNFER OF JUDGE LOCATION				
02/01/07	01 PROBATION - TERMINATION				
10/03/06	00 PAYMENT ON COURT COSTS		53960	E14	1
09/21/06	00 PAYMENT ON COURT COSTS				
07/31/06	00 PAYMENT ON COURT COSTS				

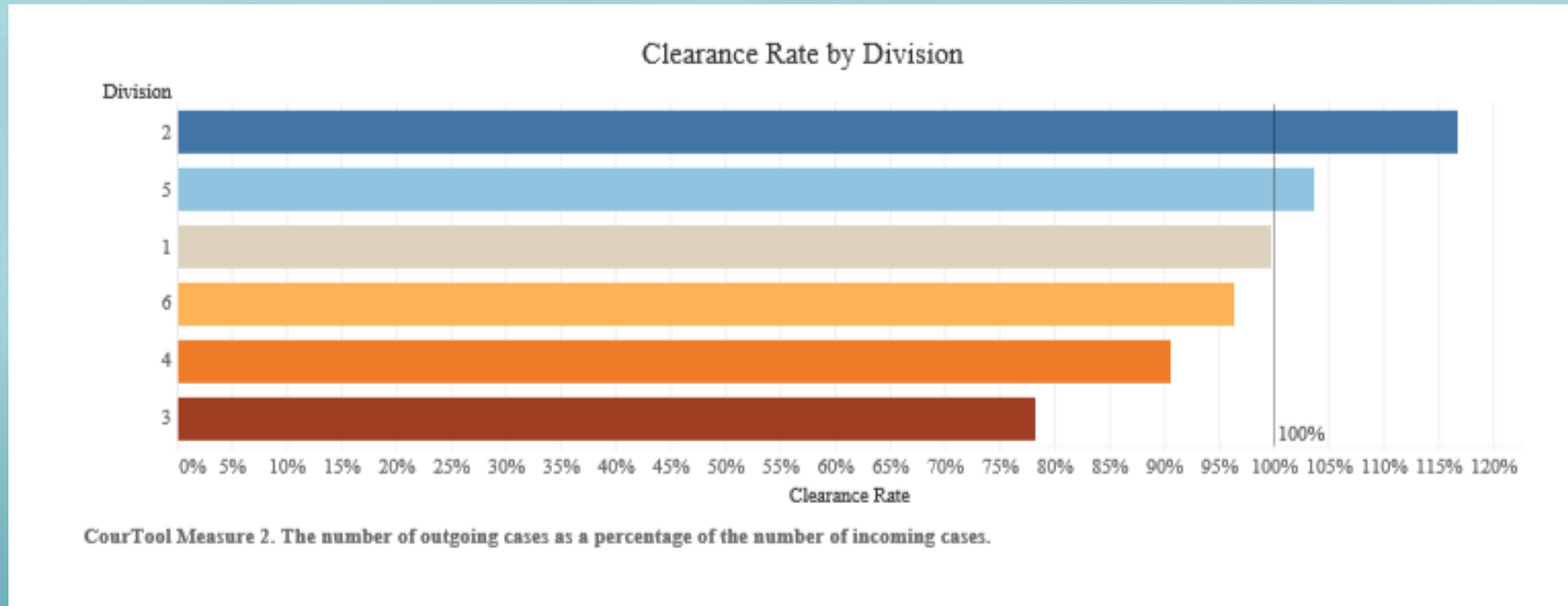
Data Visualization

- It's not actionable if it's not accessible
- Visualization makes data accessible

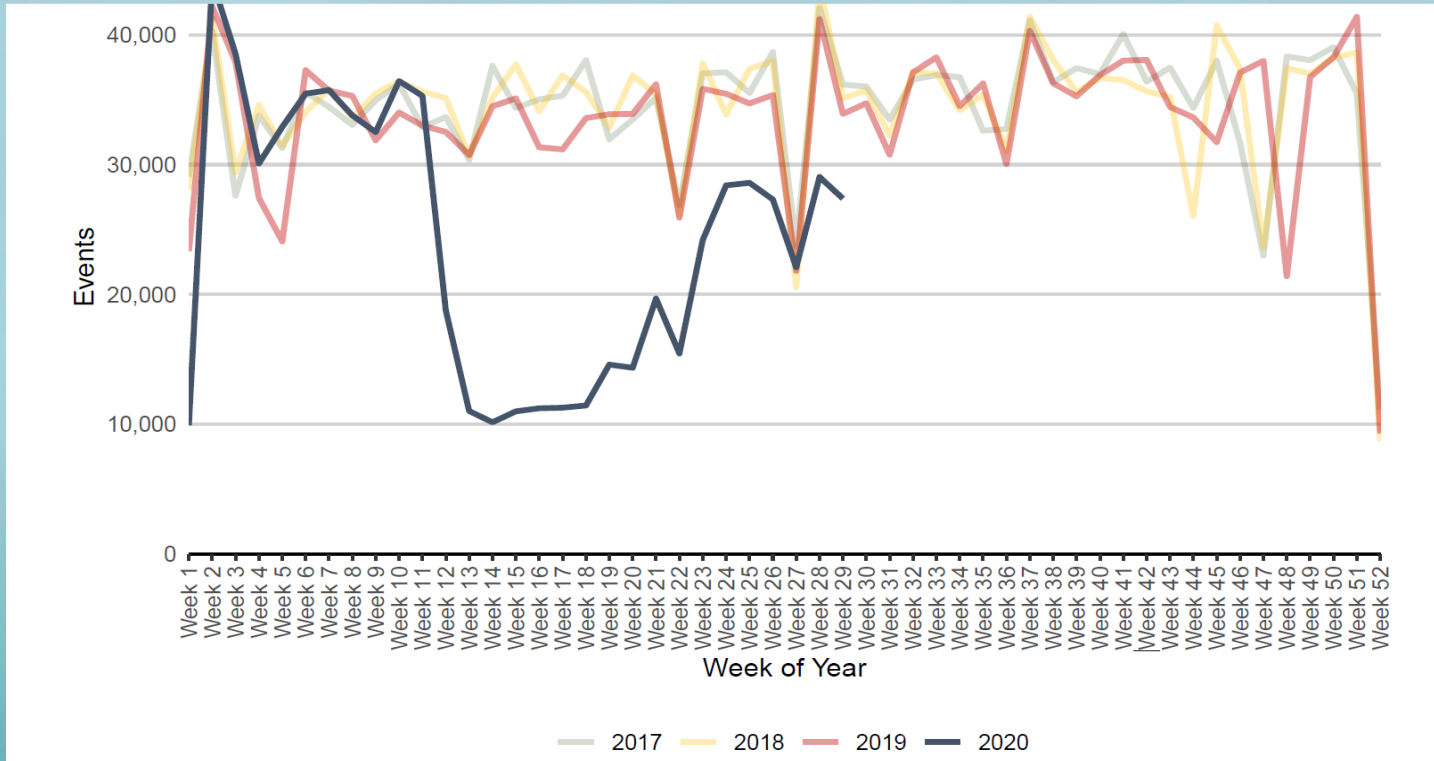


Clearance Rate

- CourTool Measure 2



Court events



How can you use this information?

Events

	Court events			
	2017	2018	2019	2020
1	29090	28880	23010	10122
2	43233	42988	41043	43577
3	28700	29032	40022	40233
4	29100	29233	33233	33122
5	33230	32100	26897	30010
6	29973	30111	24230	24116
7	34227	33063	22704	30910
8	33872	34111	34230	34116
9	33194	33428	33545	33433
10	36622	35377	34298	33073
11	36243	36498	34298	36504
12	34533	36333	32333	10983

For a data to be a strategic asset, it must be:

- Accessible
- Accurate
- Standardized



Accuracy issues

Duplicate records

Missing records

Text fields

Incomplete data

Incorrect entry

Logical errors

Outdated information

“OTHER”

*put any other accuracy issues you commonly see in the chat box!



US mass shooters exploited gaps, errors in background checks

By LISA MARIE PANE September 7, 2019

DATA NOT UPDATED: SUTHERLAND SPRINGS, TEXAS, CHURCH

The man who killed more than two dozen churchgoers in 2017 in Sutherland Springs, Texas, was able to purchase guns because his past criminal record was not submitted to the FBI database.

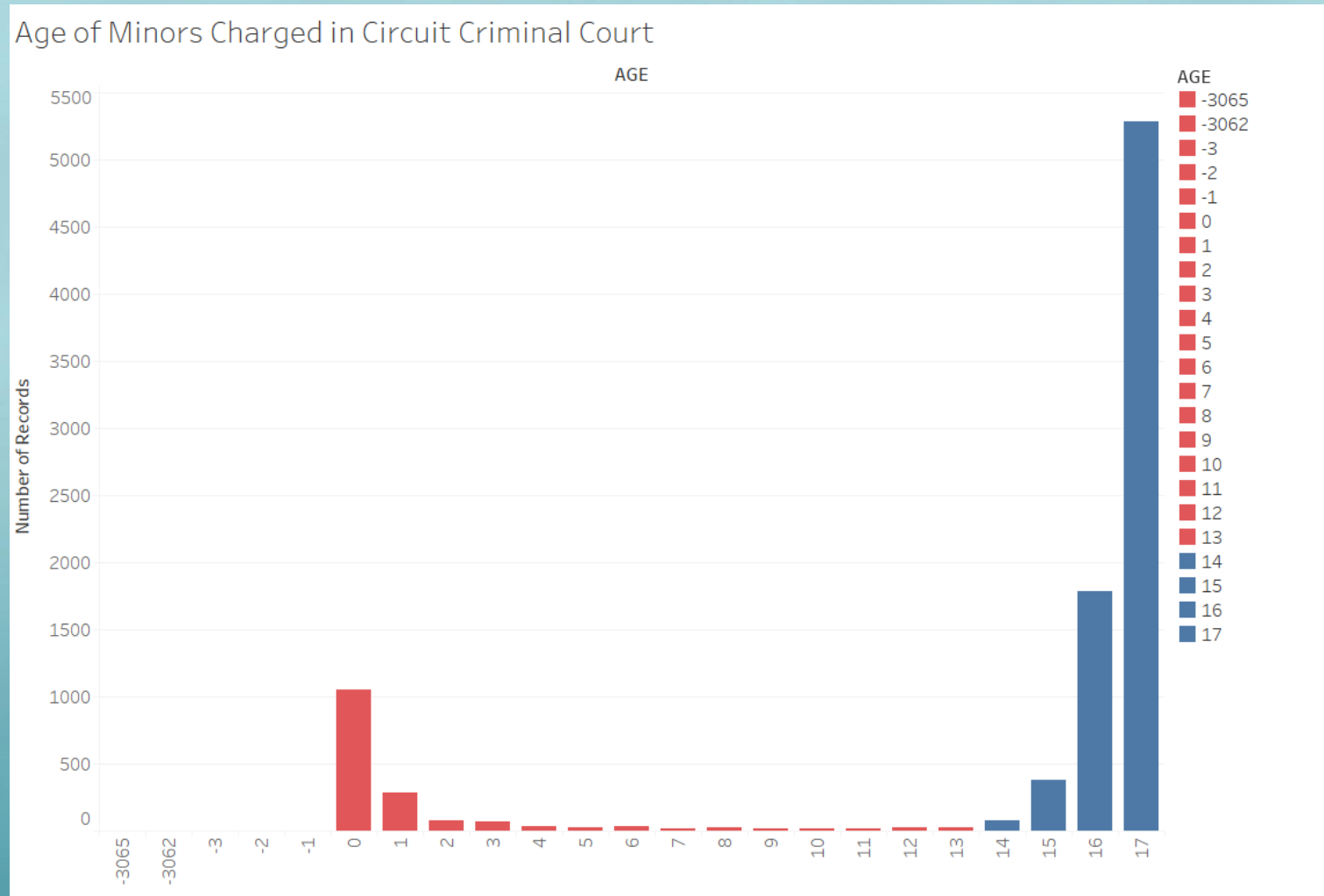
MISTAKE IN DATA: CHARLESTON, SOUTH CAROLINA, CHURCH

The gunman who killed nine worshippers in 2015 at Mother Emanuel AME Church acquired a handgun because of a combination of a mistake in the background database and lack of follow-through.

<https://www.apnews.com/6fa458941f684468a24a992285777d05>

The screenshot shows a news article on the USA Today website. The article is titled "Boone County police apologize for mistaken arrest" and is attributed to the Associated Press, published on October 22, 2015. The article text states that Boone County police in Harrison, Arkansas, have apologized to a Brandon Burfsworth Youth Center employee who was mistakenly arrested after a warrant was issued for her instead of the actual suspect. It also mentions that the Harrison Daily Times reports a mix-up during a property theft investigation led to Amanda Gipson's name being entered for an arrest affidavit, and that her lawyer later discovered the actual suspect shared her maiden name and birth year. The case against Gipson was dropped, and apology letters were issued by Boone County Sheriff Mike Moore and Cpl. David Upton. The article includes social media sharing options for Facebook, Twitter, LinkedIn, and Email, as well as a "Learn more" link. A Zurich Insurance advertisement is visible on the right side of the article.

Infant felon epidemic



For a data to be a strategic asset, it must be:

- Accessible
- Accurate
- Standardized



Has this happened in your court?

- A judge responded to a report by saying, “Your data is wrong.”
- The same question led to two different responses



How **NOT** to Wear a Mask



"The Escape Hatch"



"The Earring"



"The Sniffer"



"The Stache"



"The Nose Plug"



"The Neckbeard"

Shared
assumptions

<https://www.rochesterregional.org/news/2020/07/how-not-to-wear-a-mask>



Clearance rate

Set for review

Complex Case

Recidivism

Successful completion

Closed Case

Backlog

Time to disposition

So how do you get there?

Path to failed data governance	Path to successful data governance
It's IT's job.	I need good data to evaluate how we're doing.
All I need to care about is the person standing in front of me.	I need to worry about those who aren't standing in front of me. What's happening with their cases?
I don't have time to worry about data governance.	I don't have time to chase down correct information after the fact.

Getting started (or moving forward)

- Data governance committee
 - Court research and statistics
 - IT
 - Clerks and others entering data (trial and appellate)
 - Those who use/review/consume court data (judges & court staff)
 - Public relations or public information office
 - General counsel
 - Legislative liaison

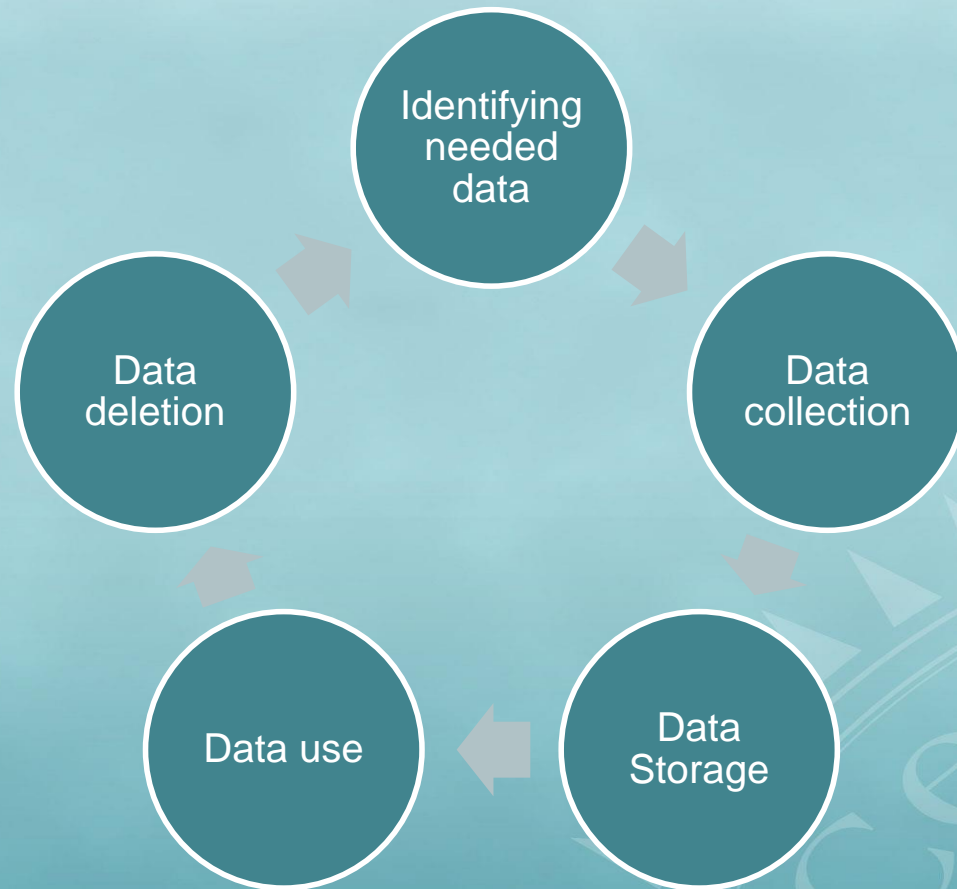


Considering job descriptions

- Chief data officer (in responsibility if not in title)
- Data stewards
- Public access manager
- Data quality analysts



Consider the life cycle of data in your data governance policy



Data quality is part of everyone's job

- People
- Processes
- Technology
- Data

Training &
Recognition



Data Quality


- People
- Processes
- Technology
- Data

Standard & Published
Reporting data quality issues
Data monitoring & review



Data Quality

- People
- Processes
- Technology
- Data



Data validation
Exception reports
Electronic filing
Data visualization

Data Quality

- People
- Processes
- Technology
- Data

Data definitions
Poor quality source data



National Open Court Data Standards (NODS)

What are Standards?

The rules by which data are described & recorded

Scope

Data maintained by courts for business purposes

Voluntary

Aspirational

Separable



NODS resources: Data elements spreadsheet

civ	fam	prob	dep	juv	crim	traf	#	Data Element	Definition	Values
x	x	x	x	x	x	x	1	Court Case Identifier	Series of characters that identifies the court case	
x	x	x	x	x	x	x	2	State	State where the case was filed	
x	x	x	x	x	x	x	3	Court	Court where the case was filed (e.g., county, court code, court level, locality)	
x	x	x	x	x	x	x	4	Primary Case Category	the subject area of the case	civil criminal domestic juvenile dependency probate traffic
x							5	Civil Case Category	Primary case category based on the complaint or petition	Tort Contract Real Property Small Claims Other Civil



National Open Court
Data Standards
www.ncsc.org/nods




National Open Court Data Standards

NODS

LEADERSHIP GUIDE



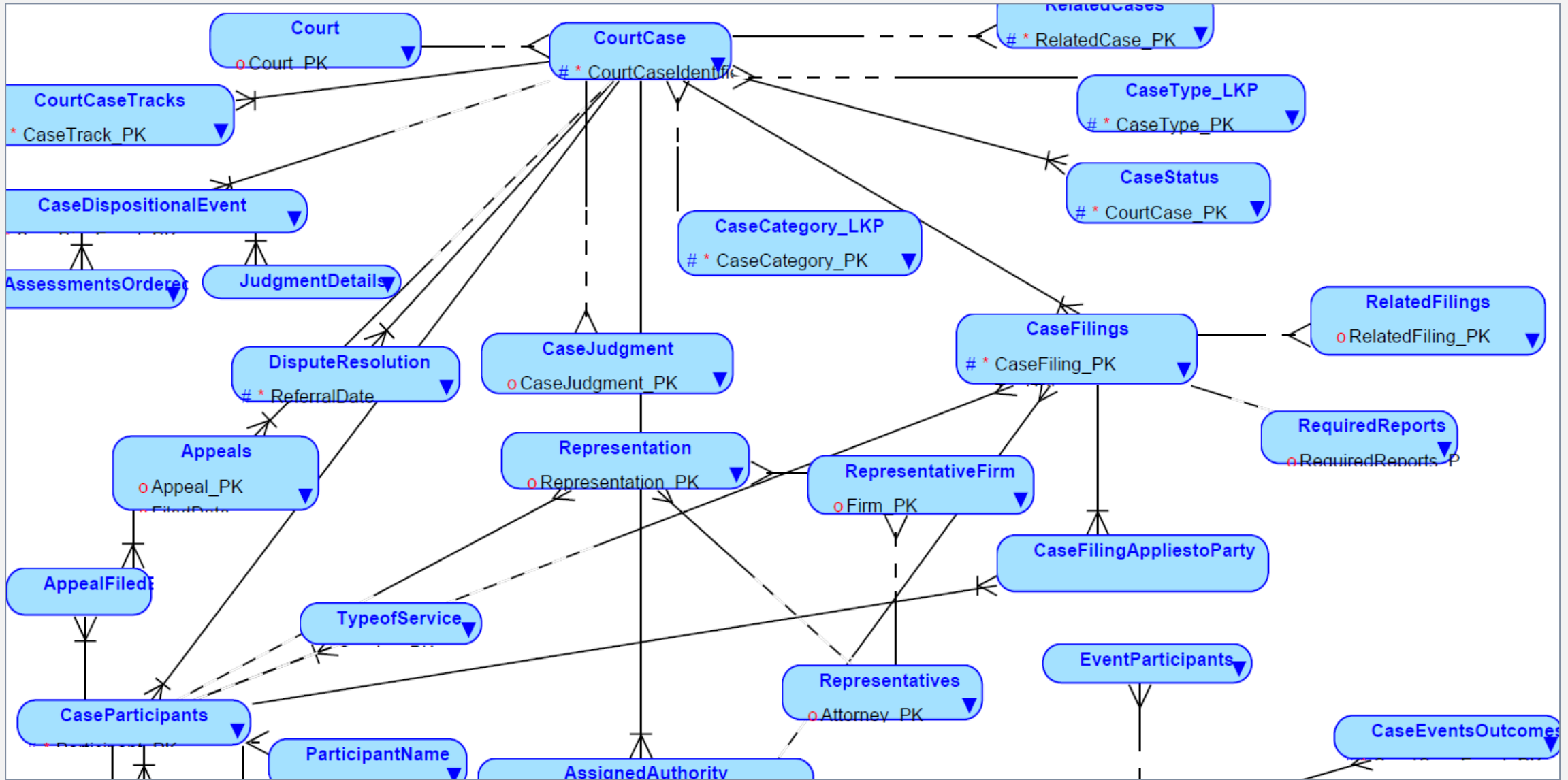
NODS resources:
leadership guide

Data element	Discussion	
Primary case category	This is a broad category. Most courts will map cases to a primary category based on case type.	
Case type	Case types are provided within broader categories. These may show how cases are grouped by individual courts or states but are intended to provide comparability across courts and states.	
Probate case types 	For the purposes of NODS, <ul style="list-style-type: none"> • Guardianships are cases involving granting powers to make personal or well-being decisions (e.g. health care, housing, education). • Conservatorships are cases involving granting powers to make financial decisions. • Both include cases where powers are granted to make both personal and financial decisions. • Limited are those cases where only specified powers are granted in the petition. Base the case type on the petition, or what was filed with the court. The powers granted by the court are captured in event detail tabs.	
	NODS probate case type	CSP Civil
	Guardianship-Adult	Guardianship-Adult
	Limited Guardianship-Adult	
	Both (Guardianship & Conservatorship)-Adult	
	Limited Both-Adult	
	Guardianship-Juvenile	Guardianship-Juvenile
	Limited Guardianship-Juvenile	
	Both (Guardianship & Conservatorship)-Juvenile	
	Limited Both-Juvenile	
	Conservatorship-Adult	Conservatorship/Trusteeship
	Limited Conservatorship-Adult	
	Conservatorship-Juvenile	
	Limited Conservatorship-Juvenile	
	Wills	Probate/Wills/Intestate
Trusts		
Estates		

NODS resources: User guide



Relationship Model



Dictionary

Attributes

No	Attribute Name	PK	FK	M	Data Type	DT kind	Domain Name	Formula (Default Value)	Preferred Abbreviation	Synonyms
1	CourtCaseIdentifier	P		Y	VARCHAR	LT				
2	CalendarAssignment				VARCHAR	LT				
3	InitialFilingDate				Date	LT				
4	CaseCategory_PK		F		Integer	LT				
5	CaseType_PK		F		Integer	LT				
6	IsPrimary				Boolean (1)	LT				
7	IsExpedited				Boolean (1)	LT				
8	CaseStatus					DOM				
9	Track				VARCHAR	LT				
10	IsConfidentialFlag				BIT (1)	LT				
11	FilingType				VARCHAR	LT				
12	HasExcludedTime				Boolean (1)	LT				

Attributes Comments

No	Attribute Name	Description	Notes
1	CourtCaseIdentifier	Series of characters that identifies the court case	
2	CalendarAssignment	Name of specialized calendar to which case is assigned	
3	InitialFilingDate	Filing date of original petition/complaint	
7	IsExpedited	Expedited procedures	
8	CaseStatus	Case status as of data extraction date Open/pending Inactive Disposed/closed Disposed & set for review Problem-solving court	
9	Track	Name of procedural track to which case is assigned	
10	IsConfidentialFlag	Case includes confidential information (e.g. legal minors, medical information)	
11	FilingType	manner of filing or status of the case when filed with the court new reopened	

Accountability and Court Performance

- What are your next steps?
- Resources
 - Data Governance: <http://www.courtstatistics.org/state-courts/data-governance-policy-guide>
 - NODS: www.ncsc.org/nods

