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Creating standardized data collection practices in a non-unified court system presents many challenges. The first is to reach agreement among the jurisdictions on what data elements are considered critical, and agree on their precise definition and counting rules. Second, and often most important, is to find funding sources for the agreed-upon standards and technology requirements. In this article we describe the approach taken in Nevada to create a more comprehensive court statistics reporting system and create a statewide data model.

The Nevada judiciary is guided by the Nevada Supreme Court, which oversees nine judicial districts comprising seventeen district courts, forty-two justice courts, and seventeen municipal courts. Each of the trial courts reports their caseload statistics to the Administrative Office of the Courts (AOC). Geographically, Nevada is the nation's seventh largest state, and the area covered by the nine judicial districts is expansive. Las Vegas and Reno, the state's two major metropolitan areas, are separated by more than four hundred miles. Throughout most of the state, trial courts are in rural jurisdictions.

While the Nevada Supreme Court guides the state's judiciary, the judicial system is not unified; all counties and cities provide facilities and staff for the respective district, justice, and municipal courts. District courts function under a hybrid funding system, with the Supreme Court funding the district court judges, while staff and facilities are funded by the county.

In this environment, courts are also responsible for acquisition of their own case management systems, which are used for operational purposes and for reporting caseload statistics for the AOC. A variety of case management systems are currently in use throughout Nevada. Some courts do not have any case management systems (data collection is done manually).

On June 15, 1999, in recognition of the previous difficulties encountered in trying to facilitate statistical reporting by the trial courts, the Supreme Court issued Administrative Docket 295 (ADKT). The intent of that order, as stated therein, was that "sufficient information concerning the caseload of the Nevada Judiciary should be available to the Supreme Court, to the Legislature, to local governments, and to the public." Just two weeks after issuance of the ADKT, the Nevada judiciary began collecting and reporting standardized statistics. The project defined by this administrative docket and the Nevada Revised Statutes is known as the Uniform System for Judicial Records (USJR). Crucial to this project are the data dictionary that defines standards of the data elements collected and the reporting worksheets sent to the AOC on a monthly basis from each court.

Leading into the ADKT, the Supreme Court created a commission to review the technology in use by trial courts throughout the state and their reporting capabilities. Following this assessment, committees were formed to determine and define the appropriate data elements for statewide data collection of

court statistics. This first effort was known in Nevada as USJR Phase I. A separate, related effort was started to bring updated and more efficient technology to many of the Nevada courts, especially those in rural areas. To support local court operations and to promote more consistent and uniform reporting of caseload statistics, the AOC was tasked with selecting a case management system that would be sponsored and supported by the Administrative Office of the Courts. The state selected a vendor and product and offered support to local courts for adoption of the system, promoting the idea that a common case management system would benefit all courts; most courts agreed to adopt this system. The Supreme Court assured the trial courts that adopted this new, state-sponsored case management system that this system would be able to generate the required USJR statistics and that any future changes would be part of the support and maintenance agreement. With the appropriate technology and project management guidelines in place, Nevada began the phased development of its new model for statewide court statistics.

### Phase I: Initial Statewide Data Collection

Prior to this standardized collection effort, Nevada had been one of a few states that did not provide comprehensive statistical information for analysis and publication by its own Administrative Office of the Courts or for reporting in the annual publications of the Court Statistics Project of the National Center for State Courts. Before the development of the USJR, only partial civil and family filings data were gathered from the general jurisdiction courts. For Phase I, Nevada trial courts agreed to submit data for caseload inventory (filings) and manner of disposition. These data are collected for each of our four main case categories – criminal (including traffic), civil, family, and juvenile.

As with all data collection projects, the aim to gather consistent, accurate, and comparable data proves to be no easy task. A couple key lessons became apparent shortly

after implementation. The first lesson is that the specification of an appropriate set of case types must be well defined, mutually exclusive, and exhaustive; that is, the case types must allow for the entire caseload to be represented accurately. We soon discovered some deficiencies in our initial data model. For example, we had divided the criminal case category into three subcategories: felony, gross misdemeanor, and misdemeanor cases, with case types of crimes against persons and crimes against property.

What we failed to realize was that we had not provided a reporting option for criminal offenses that person or property case types do not encompass, such as DUI/DWI cases, nor did we provide for a definitive "Other" category. As a result, early in our statewide data collection effort we were forced to choose between leaving a large number of criminal cases uncounted because they did not fit in these classifications, or forcing them up into these classifications but not using the data at this level. Rather than misclassify or omit cases, we chose to simply report in our annual report the gross totals at the highest levels, temporarily sacrificing our ability to make finer distinctions.

Other challenges included distinguishing non-traffic misdemeanors from traffic misdemeanors; these case types had been lumped together simply as criminal misdemeanors. We also faced the problem of defining and counting final dispositions on civil cases, some of which remain without a final disposition for six years or longer as a result of how the cases are processed.<sup>1</sup> Juvenile cases presented a similar set of issues when it was discovered that many jurisdictions processed these cases differently, again resulting in inconsistent counting.

Eventually, as we uncovered and addressed all of these issues, our originally scheduled

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<sup>1</sup> In Nevada, judgments can be renewed every 6 years and the case is considered open (although adjudicated) until the judgment is paid or no renewal is received. Phase II modifications are expected to eliminate this final disposition category for the inactive caseload category.

date for phasing in the tracking of case related events and the status of pending cases had passed. Initially, these two enhancements were to be added during Phases II and III, respectively, of the expanded statistics collection. With the publication of the *State Court Guide to Statistical Reporting* (national model) and the growing reliance on USJR data by state and local governmental decision-making bodies, judicial branch leadership felt that Phase II should include both enhancements. A third phase was therefore no longer necessary.

### Phase II: Enhancing the State Data Model

To initiate the enhancement of the state data model, the AOC extended invitations to a broad cross-section of judges, court administrators, and court clerks throughout the state to participate in the USJR Phase II Committee (Committee). This broad representation was critical and ensured that courts have a voice in the development of the expanded data model, have a chance to offer insights based on their court operations or case processing practices (where it affects counting), and resolve any inconsistencies in reporting. In this manner, court officials and representatives take ownership of the new standards and instantly become knowledge sources for their colleagues throughout the judiciary.

At the initial Committee meeting in February 2006, NCSC Court Statistics Project (CSP) staff provided invaluable assistance. One of their most useful contributions was a comparison of the national model with the USJR reporting dictionary and reporting worksheets.<sup>2</sup> Overall, USJR compared favorably in terms of case subcategories for tracking filings and associated disposition types. However, as mentioned previously, our criminal reporting was confined to only a few case types and lacked

much of the depth of the national model (see the table on the following page). The comparison provided great insights into the strengths and weaknesses of USJR.

Following this detailed presentation of the national model, extensive discussion ensued regarding the Phase I data. The Committee decided that the best plan of action would be to divide into subcommittees by jurisdiction and case category. The subcommittees would make the initial determinations for their assigned case category (criminal, civil, family, and juvenile) and propose specific reporting requirements to the Committee. The criminal category was selected as the first to be reviewed by the subcommittees, largely because the reporting in this category was furthest from the national model. The benefits of increased reporting in this category would also be the greatest.

The review process for criminal took about one year, which was not unexpected considering the differences between the two models. During this time, CSP staff at the NCSC received iterative drafts and provided comments and clarifications on specific issues. The end result of applying the national model to the USJR is shown below. Differences between the USJR and the national statistical model are now minor and based on specific requirements of the Nevada Revised Statutes or Supreme Court AOC policies for data collection.

Ultimately, the timing of the NCSC's *State Court Guide to Statistical Reporting* was perfect for Nevada. The publication was released as we were preparing to launch the Phase II effort to expand the data collection and reporting elements. The definition of a national model helped us move more quickly to supplement our initial statewide data collection. By adopting the standards (i.e., counting rules and data definitions) from the national model, the Nevada trial courts will gain greater insights into their caseload and caseflow management practices, and will begin to benefit from being able to compare themselves in a meaningful way with other courts across the state and throughout the country.

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<sup>2</sup> It is important to recognize that regardless of a court's ability to provide statistics electronically, the AOC does not have authority to pull data from a courts database or case management system. This necessitated the creation of worksheets that could be filled in locally and submitted monthly to the AOC.

Previous Nevada Criminal Case Types	NCS State Court Guide to Statistical Reporting Case Types	Revised Nevada USJR Criminal Case Types
<b>Felony</b> Death Penalty Crimes Against Persons Crimes Against Property	<b>Felony</b> Person Domestic Violence Elder Abuse <sup>1</sup> Property Drug Weapon Public Order Motor Vehicle – DUI Motor Vehicle – Reckless Motor Vehicle – Other Other Felony	<b>Felony</b> Death Penalty Crimes Against Person(s) Domestic Violence Elder Abuse Child Abuse Protection Order Violation Crimes Against Property Drugs Weapons Motor Vehicle – DUI Motor Vehicle – Reckless Driving Motor Vehicle – Other Public Order Other Felony
<b>Gross Misdemeanor</b> Crimes Against Persons Crimes Against Property	<i>Not a Subcategory for National Statistical Reporting</i>	<b>Gross Misdemeanor</b> Crimes Against Person(s) Domestic Violence Elder Abuse Child Abuse Protection Order Violation Crimes Against Property Drugs Weapons Motor Vehicle – Other Public Order Other Gross Misdemeanor
<b>Misdemeanor</b> Non-traffic Traffic	<b>Misdemeanor</b> Person Domestic Violence Elder Abuse Property Drug Weapon Public Order Motor Vehicle – DUI Motor Vehicle – Reckless Motor Vehicle – Other Protection Order Violation Other Misdemeanor	<b>Misdemeanor – Non-traffic</b> Crimes Against Person(s) Domestic Violence Elder Abuse Child Abuse Protection Order Violation Crimes Against Property Drugs Weapons Public Order Other Non-Traffic Misdemeanors <b>Misdemeanor – Traffic</b> Motor Vehicle – DUI Motor Vehicle – Reckless Driving Traffic

<sup>1</sup>Elder Abuse will appear as a case type under the Criminal category in a revision of the *State Court Guide to Statistical Reporting* due for release in late 2007.

### Process for Implementation

As each Phase II sub-committee completes their review of case types in their assigned case category, the Court Administration Committee of the Judicial Council of the State of Nevada reviews and recommends approval to the Nevada Supreme Court. The Supreme Court has final approval before full implementation. As each case category receives approval from the Court Administration Committee, the related data dictionary and reporting

worksheets for that case category are provided to the courts to begin the process for modification of existing case management systems.

The three remaining case categories (civil, family, and juvenile) will be examined using a process similar to that of the criminal category.

As each case category is revised and approved by the Supreme Court, the AOC will begin training court staff on the data definitions,

case counting rules, and reporting procedures. We expect to present this training on a regional basis to maximize attendance and participation of local court officials and staff. We are also poised to take advantage of opportunities to explain and educate the courts about the content and benefits of the new data model at conferences of judges and court staff.

### Lessons Learned

The expertise mobilized by our working committees proved vital to our success. One instance where this was most clear arose when discussing the case types of Nevada's intermediate criminal case subcategory called gross misdemeanors. Most states, and the national model, do not use this designation. The experience of some committee members with law enforcement backgrounds facilitated the identification of criminal offenses in which gross misdemeanor case types were or were not appropriate. In another instance, a limited jurisdiction court staff attorney who had participated in the design of standardized forms for Nevada protection orders used this knowledge to help fine tune the definitions and location of protection order violations. Finally, we benefited from having CSP staff from the NCSC help launch the project and provide review throughout the process. Their participation helped our courts understand the benefits of uniform reporting at the local, state, and national levels.

### Plans for Remaining Case Categories

We expect the timeframe for completion for the remaining categories to be shorter, since fewer substantive changes are needed. In addition, many of the committee members have gained experience in the process through their work on the criminal category. We hope to complete the remaining categories of the Phase II project in late 2008 or early 2009.

The effort for the family and juvenile case categories began in summer 2007, following the end of the State biennial legislative session. These general jurisdiction subcommittees have been reassembled and provided an initial

draft proposal by AOC staff, which incorporates the national model into the Nevada model. Family and juvenile working groups will proceed simultaneously, with the aim of completing their work in six to nine months.

Immediately following the conclusion of the work on the family and juvenile categories, modification of the civil case category will begin. Again, review time will likely be minimal due to the committee members' familiarity with the process. For the civil category, we expect this to take perhaps only six months. The final data dictionary and reporting worksheets will be presented to the Judicial Council of the State of Nevada and the Supreme Court for approval. Court staff will receive training before the new forms and data elements are required by the AOC.

### Conclusion

USJR statistics have become an excellent tool for demonstrating judicial accountability to the public and to legislative bodies at the state and local levels. Moving forward, these data will also provide the underlying data required for workload assessment and performance measurement for internal court management. Statistical data also provide a solid foundation to enhance or justify budget requests to the local and state legislative bodies. The first annual report of the Nevada judiciary was published in 2000 and was based on the Phase I data model. Even though these data are not as rich as those being developed in Phase II, the subsequent annual reports are often referred to by the Legislature when evaluating bills and budgets. The judicial branch in Nevada is already reaping the benefits of its data improvement effort; an outcome we expect will only be improved upon as we complete the elaboration of our data model and court statistics reporting system.