

Texas Office of Court Administration

# Performance Measures for District & County Courts

HB 2384 (88th Legislature)

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# Performance Measures for District and County Courts

## HB 2384 (88<sup>th</sup> Legislature)

Section 72.083(b) of the Texas Government Code requires the Office of Court Administration to annually collect and publish a report including performance measures for each district court, statutory county court, statutory probate court, and county court.

The report must include:

- (1) the court's clearance rate;
  - (2) the average time a case is before the court from filing to disposition; and
  - (3) the age of the court's active pending caseload.
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For this report, the year is defined as **September 1 through August 31**.

Reports must be submitted on an annual basis by **November 1 using the format of the provided Excel [template](#)**. The first report, covering March 1, 2024 through August 31, 2024, is due by November 1, 2024.

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## Reporting Instructions

### District Courts

For each district court in the county, the clerk shall report **by case category** relevant to the court:

1. **The number of active pending cases as of September 1** as reported on the Judicial Council Monthly Court Activity Reports.
2. **The number of cases filed\* during the year** as reported on the Judicial Council Monthly Court Activity Reports in addition to any cases transferred\* in from another district court in the county.

**Criminal:** Sum of new cases filed, motions to revoke, all other cases added, and transfers from another district court.

**Civil:** Sum of new cases filed, all other cases added, and transfers from another district court.

**Family:** Sum of new cases filed, all other cases added, and transfers from another district court.

**Juvenile:** Sum of new cases filed, petitions to transfer to adult criminal court, motions to modify/enforce, all other cases added, and transfers from another district court.

3. **The number of cases reactivated during the year** as reported on the Judicial Council Monthly Court Activity Reports.

4. **The number of cases disposed\* or adjudicated (juvenile) during the year** as reported on the Judicial Council Monthly Court Activity Reports in addition to any cases transferred\* to another district court in the county.
5. **The number of cases placed on Inactive Status during the year** as reported on the Judicial Council Monthly Court Activity Reports.
6. **The number of active pending cases as of August 31** as reported on the Judicial Council Monthly Court Activity Reports.
7. **The age of cases disposed during the year** as reported on the Judicial Council Monthly Court Activity Reports.

Number of cases disposed within each timeframe by case category:

**Criminal:** 90 Days or Less, 91 to 180 Days, 181 to 365 Days, Over 365 Days, Total Cases.

**Civil:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Family:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Juvenile:** 30 Days or Less, 31 to 90 Days, 91 to 180 Days, Over 180 Days, Total Cases.

8. **The age of the court's active pending caseload of August 31.**

The age of the active cases that are pending before the court, as measured by the time from date of filing or reopening to the reporting date (August 31).

**Criminal:** 90 Days or Less, 91 to 180 Days, 181 to 365 Days, Over 365 Days, Total Cases.

**Civil:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Family:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Juvenile:** 30 Days or Less, 31 to 90 Days, 91 to 180 Days, Over 180 Days, Total Cases.

### Statutory County Courts

For each statutory county court in the county, the clerk shall report **by case category** relevant to the court:

1. **The number of active pending cases as of September 1**

**Felony, misdemeanor, civil, family and juvenile** cases: as reported on the Judicial Council Monthly Court Activity Reports.

**Probate and guardianship:** The number of cases that were active and awaiting disposition or a judgment or order at the beginning of the month.

**Mental health commitments:** The number of applications that were active and awaiting disposition at the beginning of the month.

- 2. The number of cases filed\* during the year** as reported on the Judicial Council Monthly Court Activity Reports in addition to any cases transferred\* in from another statutory county or statutory probate court in the county.

**Felony:** Sum of new cases filed, motions to revoke, all other cases added, and transfers from another statutory county or statutory probate court.

**Misdemeanor:** Sum of new cases filed, cases appealed from lower courts, motions to revoke, all other cases added, and transfers from another statutory county or statutory probate court.

**Civil:** Sum of new cases filed, cases appealed from lower courts, all other cases added, and transfers from another statutory county or statutory probate court.

**Family:** Sum of new cases filed, all other cases added, and transfers from another statutory county or statutory probate court.

**Juvenile:** Sum of new cases filed, petitions to transfer to adult criminal court, motions to modify/enforce, all other cases added, and transfers from another statutory county or statutory probate court.

**Probate and guardianship:** New cases filed, ancillary cases, all other matters, and transfers from another statutory county or statutory probate court. See Excel file for detailed information on counting All Other Matters.

**Mental health commitments:** Applications filed for involuntary commitment, applications filed for order to authorize psychoactive medications, and transfers from another statutory county or statutory probate court.

- 3. The number of cases reactivated during the year** as reported on the Judicial Council Monthly Court Activity Reports.

- 4. The number of cases disposed\* or adjudicated (juvenile) during the year** as reported on the Judicial Council Monthly Court Activity Reports in addition to transfer\*s to another statutory county or statutory probate court.

**Probate and guardianship:** The number of cases that were disposed, in which a judgment or order was entered, and transfers to another statutory county or statutory probate court.

- Count each order or judgment entered as a disposition for each new case or subsequent action filed. See Excel file for detailed information on counting dispositions in probate and guardianship cases.
- Ancillary cases should follow the Judicial Council Monthly Court Activity Report instructions for Civil cases.

**Mental health commitments:** The number of applications that were disposed and transfers to another statutory county or statutory probate court. See Excel file for detailed information on counting dispositions in mental health commitment cases.

5. **The number of cases placed on Inactive Status during the year** as reported on the Judicial Council Monthly Court Activity Reports.

6. **The number of active pending cases as of August 31**

**Felony, misdemeanor, civil, family and juvenile cases:** as reported on the Judicial Council Monthly Court Activity Reports.

**Probate and guardianship:** The number of cases that were active and awaiting disposition or a judgment or order at the end of the month.

**Mental health commitments:** The number of applications that were active and awaiting disposition at the end of the month.

7. **The age of cases disposed during the year** as reported on the Judicial Council Monthly Court Activity Reports.

Number of cases disposed within each timeframe by case category:

**Felony:** 90 Days or Less, 91 to 180 Days, 181 to 365 Days, Over 365 Days, Total Cases.

**Misdemeanor:** 30 Days or Less, 31 to 60 Days, 61 to 90 Days, Over 90 Days, Total Cases.

**Civil:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Family:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Juvenile:** 30 Days or Less, 31 to 90 Days, 91 to 180 Days, Over 180 Days, Total Cases.

**Probate and guardianship and ancillary cases:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Mental health commitments:** 7 Days or Less, 8 to 14 Days, 15 to 21 Days, 22 to 28 Days, Over 28 Days, Total Cases.

**8. The age of the court’s active pending caseload of August 31.**

The age of the active cases that are pending before the court, as measured by the time from date of filing or reopening to the reporting date (August 31).

**Felony:** 90 Days or Less, 91 to 180 Days, 181 to 365 Days, Over 365 Days, Total Cases.

**Misdemeanor:** 30 Days or Less, 31 to 60 Days, 61 to 90 Days, Over 90 Days, Total Cases.

**Civil:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Family:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Juvenile:** 30 Days or Less, 31 to 90 Days, 91 to 180 Days, Over 180 Days, Total Cases.

**Probate and guardianship and ancillary cases:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Mental health commitments:** 7 Days or Less, 8 to 14 Days, 15 to 21 Days, 22 to 28 Days, Over 28 Days, Total Cases.

[Statutory Probate Courts](#)

For each statutory probate court in the county, the clerk shall report by case category relevant to the court:

**1. The number of active pending cases as of September 1**

**Probate and guardianship:** The number of cases that were active and awaiting disposition or a judgment or order at the beginning of the month.

**Mental health commitments:** The number of applications that were active and awaiting disposition at the beginning of the month.

**2. The number of cases filed\* during the year** as reported on the Judicial Council Monthly Court Activity Reports in addition to transfers\* in from another statutory county or statutory probate court.

**Probate and guardianship:** New cases filed, ancillary cases, all other matters, and transfers from another statutory county or statutory probate court. See Excel file for detailed information on counting All Other Matters.

**Mental health commitments:** Applications filed for involuntary commitment, applications filed for order to authorize psychoactive medications, and transfers from another statutory county or statutory probate court.

- 3. The number of cases disposed\* during the year** in addition to transfers\* to another statutory county or statutory probate court.

**Probate and guardianship:** The number of cases that were disposed, in which a judgment or order was entered, and transfers to another statutory county or statutory probate court.

- Count each order or judgment entered as a disposition for each new case or subsequent action filed. See Excel file for detailed information on counting dispositions in probate and guardianship cases.
- Ancillary cases should follow the Judicial Council Monthly Court Activity Report instructions for Civil cases.

**Mental health commitments:** The number of applications that were disposed and transfers to another statutory county or statutory probate court. See Excel file for detailed information on counting dispositions in mental health commitment cases.

- 4. The number of active pending cases as of August 31**

**Probate and guardianship:** The number of cases that were active and awaiting disposition or a judgment or order at the end of the month.

- 5. Mental health commitments:** The number of applications that were active and awaiting disposition at the end of the month.

- 6. The age of cases disposed during the year** as reported on the Judicial Council Monthly Court Activity Reports.

**Probate and guardianship and ancillary cases:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Mental health commitments:** 7 Days or Less, 8 to 14 Days, 15 to 21 Days, 22 to 28 Days, Over 28 Days, Total Cases.

- 7. The age of the court's active pending caseload of August 31.**

The age of the active cases that are pending before the court, as measured by the time from date of filing or reopening to the reporting date (August 31).

**Probate and guardianship and ancillary cases:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Mental health commitments:** 7 Days or Less, 8 to 14 Days, 15 to 21 Days, 22 to 28 Days, Over 28 Days, Total Cases.



## Constitutional County Courts

For each constitutional county court in the county, the clerk shall report by case category relevant to the court:

**1. The number of active pending cases as of September 1**

**Criminal, civil, and juvenile** cases: as reported on the Judicial Council Monthly Court Activity Reports.

**Probate and guardianship:** The number of cases that were active and awaiting disposition or a judgment or order at the beginning of the month.

**Mental health commitments:** The number of applications that were active and awaiting disposition at the beginning of the month.

**2. The number of cases filed during the year** as reported on the Judicial Council Monthly Court Activity Reports.

**Criminal:** Sum of new cases filed, cases appealed from lower courts, motions to revoke, and all other cases added.

**Civil:** Sum of new cases filed, cases appealed from lower courts, and all other cases added.

**Juvenile:** Sum of new cases filed, petitions to transfer to adult criminal court, motions to modify/enforce, and all other cases added.

**Probate and guardianship:** New cases filed, ancillary cases, and all other matters. See Excel file for detailed information on counting All Other Matters.

**Mental health commitments:** Applications filed for involuntary commitment and applications filed for order to authorize psychoactive medications.

**3. The number of cases reactivated during the year** as reported on the Judicial Council Monthly Court Activity Reports.

**4. The number of cases disposed or adjudicated (juvenile) during the year** as reported on the Judicial Council Monthly Court Activity Reports.

**Probate and guardianship:** The number of cases that were disposed or in which a judgment or order was entered. Count each order or judgment entered as a disposition for each new case or subsequent action filed. See Excel file for detailed information on counting dispositions in probate and guardianship cases.

**Mental health commitments:** The number of applications that were disposed. See Excel file for detailed information on counting dispositions in mental health commitment cases.

5. **The number of cases placed on Inactive Status during the year** as reported on the Judicial Council Monthly Court Activity Reports.
6. **The number of active pending cases as of August 31**

**Criminal, civil, and juvenile** cases: as reported on the Judicial Council Monthly Court Activity Reports.

**Probate and guardianship:** The number of cases that were active and awaiting disposition or a judgment or order at the end of the month.

**Mental health commitments:** The number of applications that were active and awaiting disposition at the end of the month.

7. **Age of cases disposed during the year** as reported on the Judicial Council Monthly Court Activity Reports.

Number of cases disposed within each timeframe by case category:

**Criminal:** 30 Days or Less, 31 to 60 Days, 61 to 90 Days, Over 90 Days, Total Cases.

**Civil:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Juvenile:** 30 Days or Less, 31 to 90 Days, 91 to 180 Days, Over 180 Days, Total Cases.

**Probate and guardianship:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Mental health commitments:** 7 Days or Less, 8 to 14 Days, 15 to 21 Days, 22 to 28 Days, Over 28 Days, Total Cases.

8. **The age of the court's active pending caseload of August 31.**

The age of the active cases that are pending before the court, as measured by the time from date of filing or reopening to the reporting date (August 31).

**Criminal:** 30 Days or Less, 31 to 60 Days, 61 to 90 Days, Over 90 Days, Total Cases.

**Civil:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Juvenile:** 30 Days or Less, 31 to 90 Days, 91 to 180 Days, Over 180 Days, Total Cases.

**Probate and guardianship and ancillary cases:** 3 Months or Less, Over 3 to 6 Months, Over 6 to 12 Months, Over 12 to 18 Months, Over 18 Months, Total Cases.

**Mental health commitments:** 7 Days or Less, 8 to 14 Days, 15 to 21 Days, 22 to 28 Days, Over 28 Days, Total Cases.

## Reporting Transfers

### Reports by Court – Annual Performance Measures by Court Report

For the [Annual Performance Measures by Court Report](#), **transfers/changes in assignment of a case between courts at the same level** (district courts or county courts at law) **in the county should be counted** to ensure that each court reflects the actual number of cases heard, resulting in balanced clearance rates for each court.

Capturing internal same level court transfers/changes in court assignment of a case may require programming in your case management system.

### Transfers/Changes in Assignment of a Case – Same County and Same Court Level

Case filed in March in District Court A – Added to **Cases Filed** for Court A.

	A	B	C	D	E	F	G
1				Felony Active Pending Beginning of Period (Line 1a)	Felony Cases Filed (Add Lines 2,3,5 for total)	Felony Internal Transfers In (NEW)	Felony C Reactive (Line 3)
2	123456789	Court A	2024				
3							

Case transferred/assigned in July to District Court B – Added to **Internal Transfers Out** for Court A and added to **Internal Transfers In** for Court B.

	A	B	C	D	E	F	G	H	I
1				Felony Active Pending Beginning of Period (Line 1a)	Felony Cases Filed (Add Lines 2,3,5 for total)	Felony Internal Transfers In (NEW)	Felony Cases Reactivated (Line 4)	Felony Cases Disposed (Line 7)	Felony Internal Transfers Out (NEW)
2	123456789	Court A	2024						
3	123456	Court B	2024						

### Age of Active Pending Cases and Age of Cases Disposed

The age of the case will be captured in the court it is pending in **at the time of reporting**.

If a case is filed in Court A in March 2024, then transferred to Court B (same court level and same county) in July 2024, the age of the case will transfer and be reported under Court B .


If the case **is pending** at the time of reporting, Court B will report the case in the *Age of Active Pending Cases*.

If the case **was disposed of** before or on August 31<sup>st</sup>, Court B will report the case in the *Age of Cases Disposed*.

These columns are intended to capture the age of the cases in their totality regardless of how many courts it has been transferred/assigned to. **This exception will be noted when OCA publishes the report.**

If the case is **still active** on the end date of the reporting timeframe, Court B will report the case's total age from the **original date of filing** (*subtracting for inactive time, if applicable*), regardless of time in each court, in the **Age of Active Pending**.


District Court B



	A	B	C						
1				Felony Active Pending End of Period - 90 Days or Less	Felony Active Pending End of Period - 91 to 180 Days	Felony Active Pending End of Period - 181 to 365 Days	Felony Active Pending End of Period - Over 365 Days	Felony Active Pending End of Period - Total (Line 9a)	
2	123456789	Court A	2024						
3	123456	Court B	2024						

If the case is **disposed** on or before the end date of the reporting timeframe, Court B will report the case under **Cases Disposed**, and the case's total age from the **original date of filing** (regardless of time in each court) in the **Age of Cases Disposed**.

District Court B



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1				Felony Active Pending Beginning of Period (Line 1a)	Felony Cases Filed (Add Lines 2,3,5 for total)	Felony Internal Transfers In (NEW)	Felony Cases Reactivated (Line 4)	Felony Cases Disposed (Line 7)	Felony Internal Transfers Out (NEW)	Felony Cases Placed on Inactive Status (Line 8)	Felony Active Pending End of Period (Line 9a)	Felony AoC Disposed - 90 Days or Less (Line 10)	Felony AoC Disposed - 91 to 180 Days (Line 10)	Felony AoC Disposed - 181 to 365 Days (Line 10)	Felony AoC Disposed - Over 365 Days (Line 10)	Felony AoC Disposed - Total (Line 10)
2	123456789	Court A	2024													
3	123456	Court B	2024													


If your case management system is currently not able to capture transfers/changes in assignment between courts, contact your vendor to create or develop a solution. If you are not able to differentiate internal transfers/changes in assignment at the court level by the report submission date (November 1, 2024), **please note that in your submission email**.

Transfers/Changes in Assignment of a Case Reporting – Same County and Different Court Levels

*Note: Following the rules of Judicial Council Monthly Reports, the county courts at law and the constitutional county court are considered different court levels and have separate reports.*

Case filed in March in District Court A – Added to **Cases Filed**.



District Court



	A	B	C	AN	AO	AP
1				Civil Active Pending Beginning of Period (Line 1a)	Civil Cases Filed (Add Lines 2,4 for total)	Internal Transfers In (NEW)
2	123456789	District Court	2024			

Case transferred/assigned in July to County Court at Law – Added to **Disposed** for District Court A and added to **Cases Filed** for County Court at Law.

District Court      County Court at Law

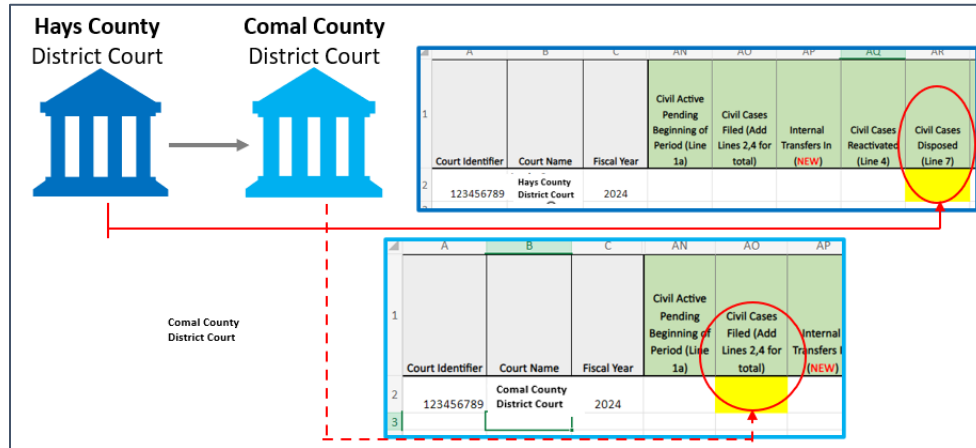
	A	B	C	AN	AO	AP	AQ
1				Civil Active Pending Beginning of Period (Line 1a)	Civil Cases Filed (Add Lines 2,4 for total)	Internal Transfers In (NEW)	Civil Cases Reactivated (Line 4)
2	123456789	District Court	2024				

	A	B	C	AN	AO	AP	AQ
1				Civil Active Pending Beginning of Period (Line 1a)	Civil Cases Filed (Add Lines 2,4 for total)	Internal Transfers In (NEW)	Civil Cases Reactivated (Line 4)
2	123456789	County Court	2024				

## Transfers/Changes in Assignment of a Case – Different County and Same Court Level

Case transferred/assigned in July from Hays County District Court to Comal County District Court – Added to **Disposed** for Hays County District Court and added to **Cases Filed** for Comal County.



## Reports by County – Judicial Council Monthly Activity Reports

The new Annual Performance Measures by Court reports are **separate** than and in **addition to** the current Judicial Council Monthly Activity Reports.

Prior guidance for the countywide monthly [Judicial Council Monthly Activity Reports](#) remains the same:

**Transfers/changes in assignment of a case between courts of the same court level should not be counted on the required Judicial Council monthly report.** The report captures only the filing and ultimate disposition of a case. Transfers/changes in assignment of a case are to be counted only when a case is transferred to a different type of court (district court, statutory county court, or constitutional county court).

Courts of Different Levels with Concurrent Jurisdiction for Case Categories The following reporting rules have always applied to the Judicial Council Monthly Reports but are not being applied statewide. It is very important to count/report cases in the court that is handling them. This ensures statistics are accurate and properly reflect each court's workload.

The activity reported in:

- the District Court report should contain information on cases handled (disposed of) by the district courts only,
- the Statutory County Court report should contain information for the county courts at law only, and
- the Constitutional County Court should contain information for the County Court only.

If a County Court at Law has concurrent jurisdiction with the District Court and is assigned cases that were filed in the District Clerk's Office, in addition to the District Court Monthly Report, the District Clerk **must** submit a Statutory County Court monthly report for the County Court at Law using the County Court at Law Identifier.

If the cases are docketed in the district courts, then are later sent to the county courts at law, report the cases under **All Other Dispositions** on the District Court report, and as **All Other Cases Added** on the Statutory County Court report.

If cases are filed in the County Courts at Law and then sent to the County Court, report the cases under **All Other Dispositions** on the Statutory County Court report, then report them as **All Other Cases Added** on the Constitutional County Court report.

## Counties with an Exchange of Benches System

Guidance remains the same no matter whether the exchange occurs between judges from different court levels or the same level:

Statistics should be reported for the **COURT**, not a particular judge.

*If District Judge Joe Smith sits on the bench of the County Court at Law, the cases that Judge Smith disposed of are counted in the County Court at Law.*

*If County Court at Law Judge April Jones sits on the bench of the District Court, the cases that Judge Jones disposed of are counted in the District Court.*

*If County Court at Law Judge April Jones sits on the bench of the County Court, the cases that Judge Jones disposed of are counted in the County Court.*

*If District Judge Joe Smith (47th District) sits on the bench of the 108th District Court, the cases that Judge Smith disposed of are counted in the 108th.*