

# Uncovering the CLUES to Reporting

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# Monthly OCA Reports



In the clerks' world  
of work, one thing  
is for certain –  
there will always  
be a report due!

# Criminal Reporting



- All criminal case filings must be included in your monthly report
- Your case management system (CSM) should have the ability to track and calculate this information
- Included in the report:
  - **Cases Pending at the First of Month**
    - Active
    - Inactive

- **New Cases filed**
  - Even if they are disposed in the same month they are filed
- **Cases appealed from Lower Courts**
- **Motions to Revoke Community Supervision or  
Motions to Adjudicate Guilt**
- **Cases Reactivated**
  - If a case has been dormant due to an open warrant and the subject has been arrested, prompting the court procedures to begin
- **All Other Cases Added**

- **Total Cases on the Docket**
  - The total of all of the cases listed on the previous slide
- **Total Cases Disposed**
  - Total of the cases from the disposition page of the report
- **Cases Placed on Inactive Status**
  - The total of all cases that are in a “suspended” state due to inactivity (open warrants, etc.)
- **Cases Pending at the End of the Month**
  - Calculated by subtracting your total inactive cases from your total active cases

## ▫ Age of Cases Disposed

- Listing the total number of cases disposed in time periods from when they were initially filed.
  - Broken down by:
    - 30 days or less
    - 31 days – 60 days
    - 61 days to 90 days
    - Over 90 days

## ▫ Additional Court Activity

Cases in which jury selected	Cases in which attorney appointed as counsel
Cases in which mistrial declared	Cases with retained counsel
Motion to Suppress granted or denied	Cases filed for Trafficking of Persons
Competency Hearings held	Cases filed for Prostitution
Cases set for review	Cases filed for Compelling Prostitution

# Report of a Request for a Hate Crime Finding

- Art. 2.211. HATE CRIME REPORTING. In addition to performing duties required by Article [2.21](#), a clerk of a district or county court in which an affirmative finding under Article [42.014](#) is requested shall report that request to the Texas Judicial Council, along with a statement as to whether the request was granted by the court and, if so, whether the affirmative finding was entered in the judgment in the case. The clerk shall make the report required by this article not later than the 30th day after the date the judgment is entered in the case.
- Added by Acts 2001, 77th Leg., ch. 85, Sec. 4.01, eff. Sept. 1, 2001.

# Civil Reporting Section



- All civil case filings must be included in your monthly report
- Your case management system (CSM) should have the ability to track and calculate this information
- Included in the report:
  - **Cases Pending at the First of Month**
    - Active
    - Inactive



- New Cases filed
  - Even if they are disposed in the same month they are filed
- Cases Appealed from Lower Courts
- Cases Reactivated
- All Other Cases Added
- Total Cases on Docket
- Total Cases Disposed
- Cases Placed on Inactive Status
- Cases Pending End of Month
  - Active Cases
  - Inactive Cases

## ▫ Age of Cases Disposed

- Listing the total number of cases disposed in time periods from when they were initially filed.
- Broken down by:
  - 3 Months or Less
  - Over 3 to 6 Months
  - Over 6 to 12 Months
  - Over 12 to 18 Months
  - Over 18 Months
  - Total Cases

## ▫ Dispositions

- Change of Venue Transfers
- Default Judgments
- Agreed Judgments

▫ Dispositions (continued)

- Summary Judgments Disposing of Cases
- Final Judgments After Non-Jury Trial
- Final Judgments by Jury Verdicts
- Final Judgments by Directed Verdicts or J.N.O.V.
- Cases Dismissed for Want of Prosecution
- Cases Non-Suited or Dismissed by Plaintiff
- All Other Dispositions
- Total Cases Disposed

▫ Additional Court Activity

Cases in Which Jury Selected	Cases in Which Mistrial Declared
Injunction or Show Cause Order Issued	Cases in Which Plaintiff/Petitioner Represented Self

# Juvenile Section



- All juvenile case filings must be included in your monthly report
- Your case management system (CSM) should have the ability to track and calculate this information
- Included in the report:
  - Cases on the Docket
    - Cases Pending at the First of Month
      - Active
      - Inactive

- New Petitions for Adjudication Filed
- New Petitions/Motions Filed for Transfer to Adult Criminal Court
- Motions to Modify, Enforce or Proceed Filed
- Cases Reactivated
- All Other Cases Added
- Total Cases on Docket
- Total Cases Adjudicated
- Cases Placed on Inactive Status
- Case Pending End of Month
  - Active Cases
  - Inactive Cases

## ▫ Age of Cases Adjudicated

- Listing the total number of cases disposed in time periods from when they were initially filed.
  - Broken down by:
    - 30 Days or Fewer
    - 31 Days – 90 Days
    - 91 Days – 180 Days
    - Over 180 Days
    - Total Cases

## Breakdown of Juvenile Offenses/Actions as Listed on Monthly Report

<b>CINS</b> (Child In Need of Supervision)	<b>Capital Murder</b>	<b>Murder</b>	<b>Other Homicides</b>
<b>Aggravated Assault or Attempted Murder</b>	<b>Assault</b>	<b>Indecency with or Sexual Assault of Child</b>	<b>Aggravated Robbery or Robbery</b>
<b>Burglary</b>	<b>Theft</b>	<b>Automobile Theft</b>	<b>Felony Drug Offenses</b>
<b>Misdemeanor Drug Offenses</b>	<b>DWI</b>	<b>Contempt of Court</b>	<b>All Other Cases</b>

▫ Adjudication:

- Findings of Delinquent Conduct or C.I.N.S.
  - Plea of True
  - By the Court
  - By the Jury
- Deferred Prosecution
- Transferred to Adult Criminal Court
- Findings of No Delinquent Conduct or No C.I.N.S.
  - By the Court
  - By the Jury
- Dismissals (including cases dismissed without any adjudication)
- Motions to Modify Disposition
  - Denied
  - Granted
- All Other Adjudications/Findings
- Total Cases Adjudicated



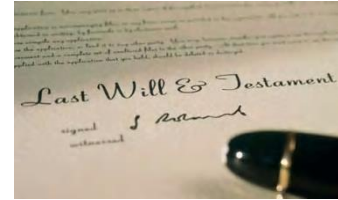
▫ Disposition:

- Cases with Findings of Delinquent Conduct/C.I.N.S.
  - A. Probation Granted
    - 1. Determinate Sentence Probation
    - 2. All Other Probation
  - B. Committed to Texas Juvenile Justice Department (f/k/a TYC)
    - 1. Determinate Sentence
    - 2. Indeterminate Sentence
  - C. Final Judgment Without Any Disposition
  
- Cases in Which Motion to Modify Disposition Granted
  - A. Probation Revoked, Child Sent to Texas Juvenile Justice Department (TYC)
  - B. All Other Dispositions

▫ Additional Court Activity:

Grand Jury Approvals (Determinate Sentence Proceedings)	Release or Transfer Hearings Held (Determinate Sentence Proceedings)
Detention Hearings Conducted	Cases Set for Review
Chapter 55 Proceedings Held (Competency Hearings)	Motions to Suppress Granted or Denied
Applications for Sealing Records Filed	Motions for Sex Offender Unregistration or Deregistration Filed
Cases in Which Attorney Appointed as Counsel	Cases with Retained Counsel

# Probate & Guardianship Section



- All probate and guardianship filings must be included in your monthly report
- Your case management system (CSM) should have the ability to track and calculate this information
- Included in the report:
  - New Cases or Applications Filed
  - Other Cases Added
    - Ancillary Cases
    - All Other Matters
  - Inventories Filed
  - Guardianship of Person Reports Filed
  - Annual or Final Accounts Filed
    - Ancillary Cases
    - All Other Matters

This report is broken down in the following categories:

- **Decedent's Estates**
  - Independent Administration
  - Dependent Administration
  - All Other Estate Proceedings
- **Guardianships**
  - Minor
  - Adult
- **Other**
- **Additional Information Reported:**

<u>Guardianships:</u>	Dismissed	Denied	Closed	Active
Section 683 Investigations	Chapter 48 Removals	Hearings Held	Cases in Which Plaintiff/ Petitioner Represented Self	

# Mental Health Section



- All mental health filings must be included in your monthly report
- Included in the report for both temporary and extended mental health services and modifications for inpatient to outpatient and outpatient to inpatient
  - New Applications Filed
  - Orders for Protective Custody Signed

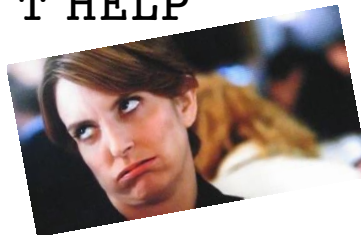
- Probable Cause Hearings Held
- Release/Dismissal Prior to Final Hearing
- Final Commitment Hearings Held
- Disposition at Final Hearing
  - Denied (Release)
  - Granted (Commit)
    - Inpatient
    - Outpatient
- Order to Authorize Psychoactive Medications
  - New Applications Filed
  - Dismissal Prior to Hearing
  - Hearings Held
  - Disposition at Hearing
    - Denied
    - Granted



*Thank goodness  
I think she's  
finally done!*

If you wouldn't have said  
that out loud, she might  
have stopped.

**BUT NO, DAVE –  
YOU COULDN'T HELP  
IT, RIGHT?**



# Family Law Section



- All family law case filings must be included in your monthly report
- Included in the report:
  - **Cases Pending at the First of Month**
    - Active
    - Inactive
  - **New Cases filed**
    - Even if they are disposed in the same month they are filed
  - **Cases Reactivated**
  - **All Other Cases Added**
  - **Total Cases on Docket**
  - **Total Cases Disposed**



- Cases Placed on Inactive Status
- Cases Pending End of Month
  - Active Cases
  - Inactive Cases
- Age of Cases Disposed
  - Listing the total number of cases disposed in time periods from when they were initially filed.
    - Broken down by:
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      - Over 18 Months
      - Total Cases
- Dispositions
  - Change of Venue Transfers
  - Default Judgments
  - Agreed Judgments
  - Summary Judgments Disposing of Cases

- Final Judgments After Non Jury Trial
  - Final Judgment by Jury Verdict
  - Final Judgments by Directed Verdicts or J.N.O.V.
  - Cases Dismissed for Want of Prosecution
  - Cases Non-Suited or Dismissed by Plaintiff
  - All Other Dispositions
  - Total Cases Disposed
- **Additional Court Activity**

Cases in Which Jury Selected	Injunction or Show Cause Order Issued	Cases Set for Review
Cases in Which Mistrial Declared	Protective Orders Signed	Cases in Which Plaintiff/Petitioner Represented Self

**SURPRISE!**



# “Other” Reports

## Reports other than the “Monthly OCA Report” of Court Activity

Appointments & Fees

Protective Orders

E-Filing Recovery Fee

Vexatious Litigants

Mental Assessments/Competency Exam

Judicial Bypass

NICS

Collections

Writ of Attachment

Capias Pro Fine

Capital Murder

AND MORE!

Court Closure/Reopening

[www.txcourts.gov/reporting-to-oca](http://www.txcourts.gov/reporting-to-oca)

# Appointments & Fees

- Government Code chapter 36 & Supreme Court Order 07-9188
- Pre-9/2016 – only report fees over \$500
- 9/1/16 and later – report appointments and fees of any amount
- **CIVIL/FAMILY** cases only. *NOT* fees for court appointed attorneys in *criminal* cases.
- **Report to OCA via login/portal.** Due the **15<sup>th</sup> OF THE MONTH** following the end of the month reported

# Appointments & Fees

- **Report Appointment and/or Order to Pay Fees:**
  - Attorney Ad Litem
  - Guardian Ad Litem
  - Guardian
  - Mediator
  - Competency Evaluator

# Appointments & Fees

- Exceptions:
  - Mediation conducted by ADR system (CPRC 152)
  - Confidential information by law (i.e. judicial bypass)
  - CASA or Volunteer advocates in CPS cases

# Appointments & Fees

- Other notes:
  - A copy of the report must be posted at the courthouse AND on the court's website (for each court)
  - “Zero Activity” must be reported for each court
  - Failure to report makes the county ineligible for any grant money from the state or state agency
  - If the amount of fee is specified in the order, report for the month in which the approval order was signed
  - If the amount of fee is NOT specified in the order, report for the month it is paid



# Appointments & Fees

- Other notes:
  - Cases with Total Compensation exceeding \$1,000 – report the number of hours billed and total billed expenses
  - Counties who haven't reported are on OCA website...
  - List of appointments also on OCA website
  - If you want to set up an XML to upload your CMS info to OCA, contact [judinfo@txcourts.gov](mailto:judinfo@txcourts.gov)



# Certification - \$2 E-filing Fee

- Government Code §72.031
- \$2 Fee for each electronic filing transaction
- Must be approved by Commissioners Court
- Must certify the Amounts Collected, Amounts Expended, Projected Expenditures for next year
- Report due **ANNUALLY**, 30 days following the last day of the county fiscal year
- Submit via email to [efiling@txcourts.gov](mailto:efiling@txcourts.gov)

# Mental Health Assessment

- SB 1326/CCP arts. 15.17, 16.22, 17.032, 32A, 46B; Gov't Code §121.003; H&S Code §§574.034, 614.0032
- Magistrates order assessment
- Clerk receives assessment pre-indictment/case filing, report for the date **RECEIVED**
- Clerk receives after indictment/case filing, report for date **RECEIVED**

# Mental Health Assessment

- Other notes:
  - Defendant has multiple cases – report the assessment in EACH case (if case criminal case already filed)
  - Assessments are **CONFIDENTIAL**, but defense counsel and prosecutor may have a copy (Health & Safety Code §614.017 and CCP art. 46B.079)
  - **Report on OCA Monthly Court Activity Reports – “Additional Court Activity – Mental Illness/Intellectual Disability Assessments”**

# Competency Examination Reports

- SB 1326/CCP art. 46B.026; H&S Code §614.0032
- Trial court orders examination upon suggestion that defendant may be incompetent to stand trial
- Clerk reports for the date the exam is **RECEIVED**
- This reporting requirement replaces the “Competency Hearings” category

# Competency Examination Reports

- Other notes:
  - Defendant has multiple cases – report the assessment exam report in EACH case
  - Exams are **CONFIDENTIAL**, but defense counsel and prosecutor may have a copy
  - **Report on OCA Monthly Court Activity Reports – “Additional Court Activity – Competency Examination Reports”**
  - **New:** Inpatient commitments may be submitted to HHS via email: [ForensicAdmissions@hhsc.state.tx.us](mailto:ForensicAdmissions@hhsc.state.tx.us)

# NICS

- National Instant Background Check System Reporting
- Gov't Code §411.0521
- **Report to DPS via CJIS** (click on NICS tab)
- Must report if a court has “zero activity”
- Report no later than 30 days from the date of the court order
- If a Court of Appeals reverses the Order, clerk must update NICS
- Clerk must go back and update for 9/1/89 – 9/1/09



# NICS

- **What to report:**
  - Order to receive inpatient mental health services
  - Acquittal by reason of insanity or lack of mental responsibility, regardless of whether order to receive inpatient treatment or residential care
  - Commitment of a person with mental disability for a long-term placement in a residential care facility
  - Appointment of guardian for an incapacitated adult
  - Determination of competency to stand trial or finding the person is entitled to relief from disabilities

# NICS

- **What NOT to report:**
  - Guardianship of minors
  - Emergency mental health detentions, admissions or warrants
  - Orders of protective custody
  - Voluntary commitments
  - Commitment for temporary or extended outpatient mental health services
  - Applications for court-ordered inpatient services that are forwarded to another county to re-file/hear original filing
  - Court-ordered inpatient chemical dependency or alcohol services



# Writ of Attachment

- SB 291/ CCP art. 2.212
- **Report to OCA via login/portal**
- Report by 30<sup>th</sup> day after writ of attachment **ISSUED**
- **What to Report:**
  - Date of issuance
  - Whether it is a Grand Jury investigation, criminal trial or other criminal proceeding
  - Name of person requesting the writ of attachment
  - Name of judge issuing the attachment
  - Statutory Authority

# Writ of Attachment

- Statutory Authority:
  - Art. 24.044 – Child Witness
  - Art. 24.12 – Resident Witness
  - Art. 24.14 – Resident Witness Moving out of County
  - Art. 24.15 – Grand Jury Witness Moving out of County
  - Art. 24.22 – Out of County Witness

# Capias Pro Fine

- SB 1913/ CCP art. 45.045
- **Report to OCA in Monthly Report – “Additional Court Activity – Cases Set for Review”**
- **What to Report:**
  - The number of hearings for the month
  - Hearing must take place before a capias pro fine can be issued
  - Effective 9/1/17, but OCA requests reporting to begin 1/1/18

# Capital Murder

- Government Code §72.087(c)
- **Report by sending copies to OCA:**  
[ReportingSection@txcourts.gov](mailto:ReportingSection@txcourts.gov)
- Report by 30<sup>th</sup> day after date of judgment or acquittal
- Results for each case are reported on OCA website
- **What to report – Send copy of Judgment AND Court’s Charge to the Jury:**
  - All cases involving trial of a capital case before a jury (regardless of whether death penalty sought)
  - All cases in which the defendant is found guilty of a capital offense by a judge and sentenced by a jury

# Court Closure Report

- Closures reported for the public's convenience on OCA's Information Services Help Desk page
- Complete a Court Closure Report and a Court Reopening Report and email to [CourtClosures@txcourts.gov](mailto:CourtClosures@txcourts.gov)
- **What to Report:**
  - **Emergencies: Hurricane, Flooding, Fire, Ice or Snow Storm, Bombing**
  - **“Special Circumstances:” Closure due to repairs**
- What to **NOT** Report: Holidays, Judge's personal emergency, vacation, sick leave, attending conference/CE



# Protective Orders

- Family Code §85.042(a) or Magistrate Emergency P.O. (CCP art. 17.992)
- **Clerk to forward copy of the Protective Order and any info from the applicant to:**
- Law Enforcement: to the Chief of police of municipality if the applicant lives in the city or to Constable and Sheriff if not in a municipality
- Schools/Daycare/Child care facility
- SAPCR/Divorce Court
- DPS: if handgun license suspended or order issued to prevent offenses committed because of bias or prejudice

# Vexatious Litigants

- Civil Practice & Remedies Code §11.103
- **Report by sending copy of pre-filing order to OCA:**  
[judinfo@txcourts.gov](mailto:judinfo@txcourts.gov)
- Report within 30 days of date of Order
- OCA publishes list of vexatious litigants on web
- OCA *cannot* remove vexatious litigant from the list without an order from the original court issuing the pre-filing order (or an order from appellate court)
- Clerk may not accept any filings from vexatious litigant unless the litigant has permission from the Local Admin Judge

# Vexatious Litigants

- If clerk mistakenly accepts filing without an order from the Local Admin Judge, any party may file with the clerk and serve on all parties notice of filing without lack of permission
- Not later than the next business day when clerk receives notice, clerk must notify the trial court
- Upon receipt of notice, court shall immediately stay the litigation and dismiss, unless the litigant obtains permission within 10 days after notice filed



# Judicial Bypass

- Family Code §33.003(L-1)
- **Report to OCA via login/portal**
- Report no later than 20 days following the end of the month in which the judgment was entered
- **What to Report:**
  - Case No. & Style (In re Jane Doe)
  - Applicant's county of residence
  - Date of filing
  - Date of disposition
  - Disposition of case (deemed denied, denied, dismissed, granted or withdrawn/nonsuited)
  - Name of clerk entering the report
- Stats/Results published on OCA website. Published by COA region, not county by county
- See **Supreme Court Misc. Docket No. 15-9246** for rules and forms

# Collections Improvement

- Code of Criminal Procedure art. 103.0033
- Report no later than 20<sup>th</sup> day of month following reporting month at login/portal – OCA Collection Improvement Program Court Collection Report
- **What to Report:**
  - **New cases with court costs, fees, and fines initially assessed during the reporting period**
  - **Dollar amount assessed (i.e. FTA, warrant, time payment) – includes initial amounts as well as later assessed**

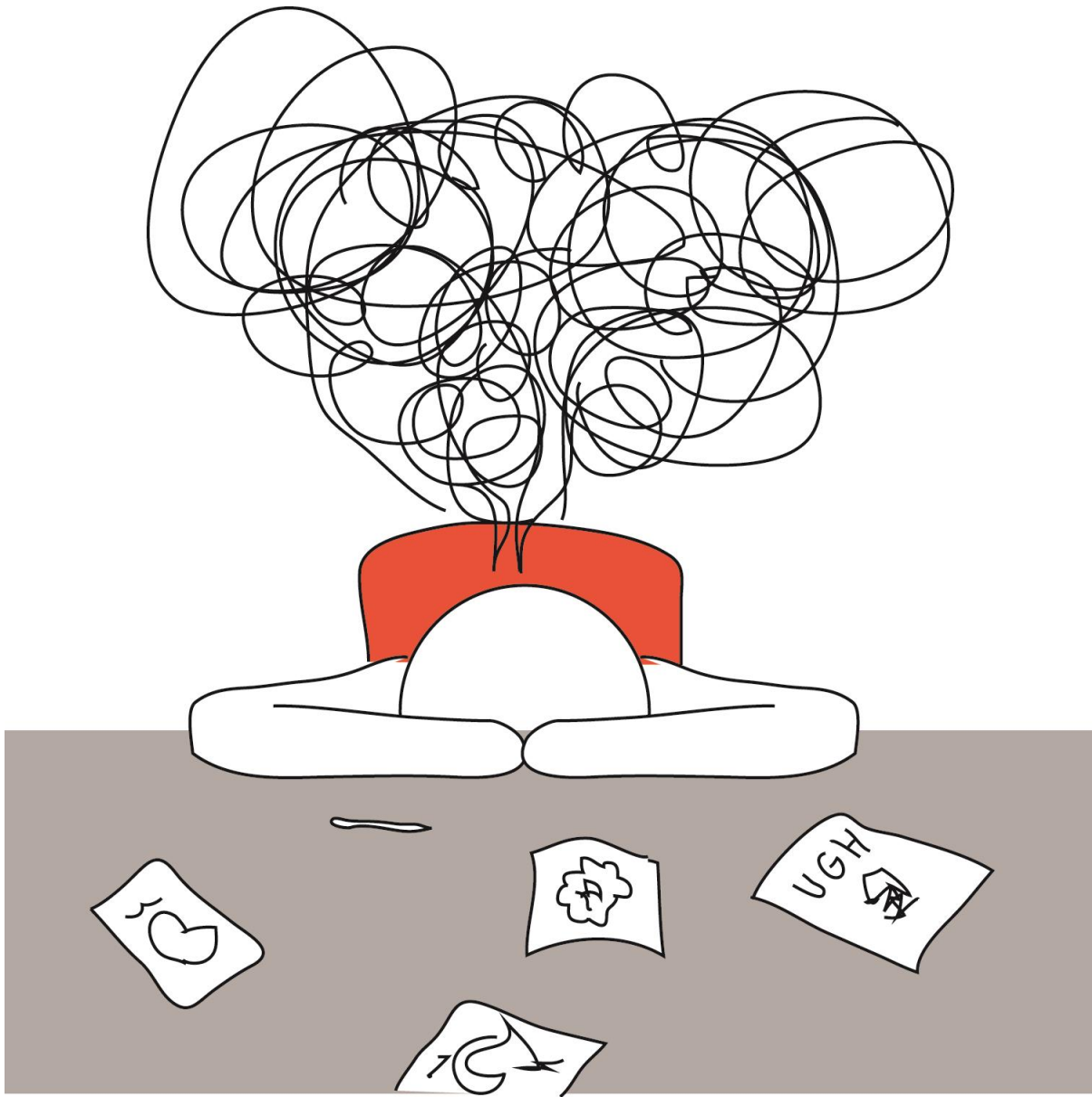
# Collections Improvement

- **What to Report:**

- Dollar amount collected during the month
- Aging Schedule for 30, 60, 90, 120, and 120+ days

- **What NOT to Report:**

- Restitution, Parking fees, Admin fee for dismissing case, Teen Court fees, Juvenile Court fees, Expungement fees, or Civil court case fees





# Court Security Incidents

- Code of Criminal Procedure 102.017(f)
- Law Enforcement (Sheriff, constable, or other agency providing security) must report any security incidents involving court security

# Guardianship Certification

- Forms for Guardianship Certification and Reporting Requirements are online at:  
[www.txcourts.gov/jbcc/guardianship-certification](http://www.txcourts.gov/jbcc/guardianship-certification)

# Various Reporting Requirements

- OCA compiled a list of reports for DC and for CC.
- Both lists are available on the OCA website.
- Copies are included in the attachments
- Note: list is current through **Nov. 2015**



# QUESTIONS?

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