STUDY OF WORKLOAD MEASURES

January 20, 2014
Study of Workload Measures

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**Study of Workload Measures**

**Clerks are to develop a system of workload measures and workload standards**

Senate Bill 1512, (amending Florida Statutes 28.35) passed during the 2013 Florida Legislative Session, prescribed that clerks were responsible for “developing and certifying a uniform system of workload measures and applicable workload standards for court-related functions as developed by the corporation and clerk performance in meeting the workload standards. These workload measures and workload performance standards shall be designed to facilitate an objective determination of the performance of each clerk in accordance with minimum standards for fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. The corporation shall develop the workload measures and workload performance standards in consultation with the Legislature.

As used in this section, the term “Workload measures” means the measurement of the activities and the frequency required for the clerk to adequately perform the court-related duties of the office as defined by the membership of FCCOC.” (F.S.28.35, 2.(d)1.)

Florida Clerks of Court have been directed by the Florida Legislature to develop their own workload measures. The aim of these workload measures is to aid in the objective evaluation of clerk performance relative to clerk-set performance standards.

**Brief history of prior CCOC workload measure analysis**

While the mandating of the development of clerk workload measures is recent, the analysis relative to workload measures is not. As far back as 1999, Florida Court Clerks and Comptrollers (FCCC) staff was conducting workload measure analysis as part of a comprehensive view of overall clerk performance assessment. These analyses were modeled after performance assessment systems developed by the Florida Office of Program Analysis and Government Accountability (OPPAGA), the agency responsible for the assessment of the efficiency and effectiveness of State of Florida agency policies and programs.

The analysis of workload measures continued in 2001 with the publication of “CCC Programs, Services and Activities – Output and Outcome Measures” by Glenn Robertson & Associates (GRA). The terms “output and outcome measures” are terms used by OPPAGA in their performance analysis, denoting workload measures and workload performance standards, respectively. This study constructed a detailed framework of programs/services, and corresponding activities/sub-activities, workload
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measures (output measures), and workload performance standards (outcome measures). The framework was organized by court division (criminal court, civil court, etc.) with each service and activity catalogued in numerical order, much as you would find in a library book numbering system. The study was used largely to inform outsiders of the myriad of services and activities provided by clerks’ offices. At present, it is used primarily as a reference work to demonstrate how detailed a system of services/activities/workload measures can be.

In 2003, FCCC published a study entitled “Clerk of Court Programs, Services, Activities and Tasks Framework,” which was similar to the 2001 study except for output and outcome measures. Rather than a list of services by program, it provided a very detailed, all-inclusive list of tasks associated with each service/activity. Like the earlier study, it served as a catalog of tasks to fully describe the work of the clerks, as opposed to serving as a working document of workload measures employed by the clerks in their budget process.

From 2003-2008, the clerks followed a revenue-based budget model which funded its operations out of collected court costs, fines and fees. Clerks were permitted to increase their court-related budgets by the projected percentage increase in revenues for the year in which they were being budgeted. Total revenues were redistributed among clerk offices based on need relative to achievement of performance measures and assessment of court costs, fines, and fees. Clerk budgets were based largely upon the revenue the clerk collected.

In 2004, the Legislature provided for the state’s Chief Financial Officer to contract with the Clerk of Courts Operations Corporation (CCOC) to ensure that the state received specific budget information from each clerk, including that requested budgets were entirely court-related.

In 2005, after the Legislature increased the number of judges statewide, they recognized the need to fund clerk offices over and above the level of collected revenue to account for the additional clerk work this would generate.

During this time (2004-2008), there were seven workload measures utilized by clerks to provide information to the Legislature on what clerks do: New cases filed, reopened cases, notices of appeal, docket entries, juror summoned, jurors paid (2006), and financial receipts (2006). There was no use of workload measures to compare budgets at this time.
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In 2009, the Legislature changed the budget model to a core-services (expenditure) based model. The new core services model required clerks to provide budget requests in the four core service areas of case processing, financial processing, jury management, and information services. Peer groups of like-situated clerk offices were formed to compare budget requests and allocate resources. The model’s aim was to fund core clerk court-related services and enable the distribution of surplus revenue back to the state to be managed as part of state General Revenue.

During this time (2009-2012), New Cases Filed emerged as the primary workload measure used for budget comparison purposes.

The core services during this period were the 10 court divisions:

- Circuit criminal
- County criminal
- Juvenile delinquency
- Criminal traffic
- Circuit civil
- County civil
- Probate court
- Family court
- Juvenile dependency
- Civil traffic

In 2010, Reopened Cases was added as a workload measure for budget comparison purposes, and in 2011, Prior Year Activity Cases was added. While the opening of a new case includes many activities and describes a significant portion of the clerk’s work, much time is also devoted to cases that are reopened by the judiciary and require additional clerk action, and cases that were opened in prior years for which work is still ongoing. Together, these three workload measures describe the majority of clerk activity.

Also in 2010, peer group comparisons were based on caseload and population. The five comparison groups were expanded to six in 2011.

The 2013 Legislature deleted the 10 core service areas and instead required the Corporation, in consultation with the Legislature, to develop workload measures to use in the budget process. The purpose of this report is to recommend such measures.
### Study of Workload Measures

Following is a time line of the time periods discussed on the previous page:

<table>
<thead>
<tr>
<th>Period</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to 2001</td>
<td>• Clerk budgeting entirely at local level</td>
</tr>
<tr>
<td></td>
<td>• Variable budgeting methodologies</td>
</tr>
<tr>
<td></td>
<td>• No centralized budgetary control</td>
</tr>
<tr>
<td></td>
<td>• No standardized workload or performance measures</td>
</tr>
<tr>
<td>2001-2003</td>
<td>• Workload Measure Studies conducted by GRA &amp; FCCC</td>
</tr>
<tr>
<td></td>
<td>• Development of workload measures</td>
</tr>
<tr>
<td></td>
<td>• Workload measures used to inform public of clerk activity</td>
</tr>
<tr>
<td></td>
<td>• Revenue-Based Budget Model</td>
</tr>
<tr>
<td>2003-2008</td>
<td>• Revenue-Based Budget Model</td>
</tr>
<tr>
<td></td>
<td>• Clerks funded out of collected court costs, fines, and fees</td>
</tr>
<tr>
<td></td>
<td>• 2004 - CCOC begins coordination of clerk budget process</td>
</tr>
<tr>
<td></td>
<td>• 2008 - Foreclosures increase, revenues increase with cost spread over subsequent years</td>
</tr>
<tr>
<td>2009-2012</td>
<td>• Core Services (Expenditure-Based) Budget Model</td>
</tr>
<tr>
<td></td>
<td>• Primary workload measure - New Cases (by division)</td>
</tr>
<tr>
<td></td>
<td>• Prior Year Cases and Reopened Cases added as additional workload measures in 2010-11</td>
</tr>
<tr>
<td></td>
<td>• Workload measures used to compare clerk budgets</td>
</tr>
<tr>
<td>2013</td>
<td>• Revenue-Restricted Budget Model</td>
</tr>
<tr>
<td></td>
<td>• Workload measure and performance measures required</td>
</tr>
<tr>
<td></td>
<td>• Workload measures used to inform public of clerk activity and compare budgets of similarly-situated counties</td>
</tr>
</tbody>
</table>
Study of Workload Measures

Thomas Howell Ferguson P.A. was contracted to assist CCOC in developing workload measures

Our work order provided for the following tasks to accomplish this directive:

1. We obtained and read Senate Bill 1512.
2. We obtained and read all supporting reports and documentation as provided by CCOC relative to previous analyses of workload measures.
3. In conjunction with CCOC, we developed a survey to be distributed to all clerks seeking their input on what they believe to be valid measures of their workload and activity.
4. We distributed the survey, monitored clerk completion of the survey, and tabulated the results.
5. We developed a draft summary report to CCOC outlining the results of the survey. We developed a written summary report (this report) including:
   a. An evaluation of CCOC’s workload information and options.
   b. An evaluation of the Clerk survey workload information and options.
   c. An independent assessment of options with related pros and cons.
6. We conducted meetings with CCOC staff and Board committees as needed during the course of the project.

Define and differentiate workload measures, performance measures, and cost factors

Workload measures – Workload measures are specific to an industry and entity, and simply describe what you do. What measures your activity? What widgets do you produce (even if you don’t manufacture actual widgets)? The current eight workload measures being utilized all measure and describe work activity or products of activity (cases, notices, jurors, and reports). Workload measures are descriptive of activity, and provide information on what happens and when it happens (frequency of activity). Simply put: workload measures gauge work effort.

Performance measures/workload standards – While workload measures describe what the clerks do, performance measures or workload standards are prescriptive of at what frequency the activity should be performed, or how well the activity should be performed. The operative word is should. Performance measures tell the clerks (and outsiders who evaluate clerk performance) how often or how well a workload measure should be performed. As such, performance measures are expressed in quantitative and qualitative terms (case processed within x days, jurors paid within y days, financial report approved by 80% of reviewers, etc.).
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Cost factors – While workload measures and workload performance measures describe the work activity and the qualitative and quantitative goals of its performance, cost factors are neither. Cost factors affect the cost of work activity performance. Cost factors have been previously analyzed and documented\(^1\), and include the following:

- **Multiple courthouse facilities and remote locations requiring clerk staff** – Counties with multiple courthouses and other facilities may require additional staff, increasing costs for the same comparable workload.
- **Staffing standards** – staffing standards (additional clerk staff depending on size of county) are applied when new judges are appointed, rather than when work increases proportionate to the need for staff. This may increase costs relative to a comparable county that does not have new judges.
- **Judicial orders, requirements, and operating policies and procedures** – The clerk is responsive to the judiciary in terms of performing tasks requested or mandated by judges. This varies from county to county, and may cause variations in overall operating cost as well as divisional court costs.
- **County and clerk workforce socio-economics and demographics** – Florida counties are significantly variable in terms of size, culture, and socio-economics. For example, in a small county working at the clerk’s office (or any government job) may be seen as highly desirable in that job market compared with a large metropolitan county, which may affect comparable salaries and turnover, and cost.
- **Cost of employee benefits** – Along with salaries and the cost of living, the cost of the same employee benefits will vary from county to county, mostly variable on county size. Whether or not the clerk’s office piggy-backs the general county benefit package is also a factor.

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\(^1\) 2007, CCOC Study of Cost Factors & Efficiencies, Thomas Howell Ferguson P.A.; 2010, Florida Association of Court Clerks and Comptrollers Performance Audit, KPMG LLP & Thomas Howell Ferguson P.A.
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- **Multiple government entities within the county** – Some larger counties have many municipalities, state agency offices and overlapping government jurisdictions, while the presence of correctional institutions may take up a significant amount of clerk time in smaller counties. These multiple government entities may be a time drain on clerk staff in larger counties with little or no corresponding revenue.

- **Customer service expectations** – The clerks’ offices performs different customer-facing roles in different counties. In larger counties, the clerks’ offices may be on a higher floor and relatively insulated from the public. In smaller counties, the clerk and all his/her staff may be in one first floor area, with easy access to the clerk (and the expectation that customers will come into the clerks’ offices). This may affect workload (and cost) in that there is an expectation in smaller counties that the clerk and his/her staff have to visit with customers, who they probably know.

**How do business rules apply to workload and performance measures?**

Business rules for workload measures are established to provide for consistency and validity, to make sure in budget comparisons we are comparing apples to apples. For example, each county may define its activities differently – a case reopening may be a different procedure (different activity, different times) in one county than another.

Business rules for performance measures define the parameters of the performance measurement, the how often, how well of the workload measures. For example, what time frame are cases required to be processed? How quickly should jurors be paid? How accurate should management information reports be?

**Clerk survey results**

A major portion of the assistance provided to CCOC was the administration of the clerk workload measures survey. Surveys were distributed electronically to all 67 clerk offices, and all but seven offices responded. The survey was designed to provide information relative to the following questions:

- Would you recommend this workload measure be used by CCOC in their budget comparisons?
- If so, why do you think it should be used?
- If not, why do you think it should not be used?
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The new, suggested workload measures are listed in Attachment 1. Some of the more popular suggested workload measures are:

- Indigent applications processed
- E-filings
- Scheduled jury trials
- Court preparation hours

All of these (and the remainder listed on Attachment 1) require work effort and measure work effort.

Attachment 2 is a summary of the survey feedback

1. The first column is where the workload measure ranks on the basis of how many yes answers were received.
2. The second column is a listing of the proposed workload measures. Clerks were given the option of providing suggested workload measures not already listed on the survey.
3. The third column is the number of answers to the do you think it should be used question (yes-no-unsure, numerical and percent of total).
4. The fourth column is the number of positive comments.
5. The fifth column is a sample of key or frequently repeated positive comments.
6. The sixth column is the number of negative comments.
7. The seventh column is a sample of key or frequently repeated negative comments.

Summary of the survey results:

New Cases Filed (by court division) is the most widely favored workload measure

53 clerks (88.3%) favored using this workload measure

Key comments – easily collected, consistent, collectible, these are our widgets

Only 5% of respondents did not favor using

Notable Comment – should not be the only measure.

There was a clear differentiation between the groups of workload measures on the survey based on the responses.

More clerks favored workload measures currently in use, reflecting the existence of business rules and the applicability and relevance of these measures.
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Groupings that came out of the survey results
The Top 8 are measures that are currently in use by all clerks, have established business rules, and have a history of data collection by clerks.
At least 65% of clerks favored using them
Key comments – reflects workload, accurate, measures activity, comparable

Jury trials held (#9) was somewhat of an outlier, in that while a majority of clerks approved using it, there were fewer respondents and a significant number of clerks who did not favor using it (30%). For the first time in the survey, we saw comments like not a good measure, irrelevant, etc.

The Second 7 (including jury trials) – These are workload measures that were used by some, but not all clerks, did not receive more than 50% approval (except jury trials), and at a particular point, the no replies outnumbered the yes replies.

Others – these workload measures did not appear on the survey but were suggested by clerks (Attachment 1). Some of these suggested workload measures were not workload measures, but rather cost factors (see definitions above). Other suggested workload measures were measurement methodologies or related suggestions.

In analyzing how to categorize suggestions from the clerks, we asked the following questions:

1. Is suggestion a workload measure?
2. Is the data available and collectible?
3. Are there business rules that will ensure consistency?

The number of the suggested workload measures (25), along with the 15 workload measures already in use by some or all of the clerks, indicate that one workload measure alone does not fully describe all that a clerk does, and it may require several or many measures to adequately measure workload in a given clerk’s office. The number of workload measures employed, with their business rules and data to be collected, must be balanced against the effort required to collect the unit and cost data, as well as the reason for doing so and who the audience is for the information.

There are several uses for workload measures. The primary use being considered here is for comparing budgets of like-situated clerks (in peer groups) to determine if resources should be re-allocated. The other uses of workload measures are discussed in the following sections.


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To determine if a given workload measure is a good candidate to be used for budget comparison purposes, there are four criteria that should be applied to test the measure. The more criteria the workload measure meets, the more trust can be placed in the measure as a valid and fair measure for budget comparison purposes. We will discuss these four filtering criteria in the following section.

The four filtering criteria

The four criteria used by CCOC in determining whether a particular workload measure is suitable for use in budget comparisons originated with OPPAGA and its program accountability system framework. The program accountability system originates from the use of performance based program budgeting (PB2) process, which is an outgrowth of the Government Performance and Accountability Act.

The 1994 Government Performance and Accountability Act required the Governor to submit performance-based program budgets for the executive agencies to the Legislature. Section 216.013 Florida Statutes requires state agencies and the judicial branch to develop long-range program plans to achieve state goals using an interagency planning process that includes the development of integrated agency program service outcomes. Among other items, the plans are to include:

- Legislatively approved output (workload) and outcome performance measures, and
- Information regarding performance measurement, which includes, but is not limited to, how data is collected, the methodology used to measure a performance indicator, the validity and reliability of a measure, the appropriateness of a measure, and whether, in the case of agencies the agency inspector general has assessed the reliability and validity of agency performance measures pursuant to Section 20.055(2), Florida Statutes.

Legislatively mandated workload measures are part of this performance-based accountability system. In order to effectively measure outcomes (program results), outputs (workload measures) must be clearly defined. There should also be enough measures to adequately describe what the agency does, but not all workload measures are suitable for budget comparison purposes.
OPPAGA has developed an output measure pyramid that shows that as you go up the pyramid, fewer workload measures are suitable for use in budget comparison:

**Agencies Should Develop Comprehensive Measures**

**But Only Some Are Needed in State Budget**

What reduces the number of workload measures suitable for budget comparison purposes as you move up the pyramid is the use of the four filtering criteria. In order to be able to compare workload measures in a budget setting, there are specific criteria that must be tested to validate the measure for budget comparison purposes. These four criteria are as follows:
**Study of Workload Measures**

**Data reliability** – Data reliability refers to the dependability of the numbers/units for comparison purposes with other clerks’ offices. Other questions considered include whether the workload measure is consistent from county to county; if new cases involve the same procedures, activity, and work effort in all clerks’ offices; if the workload measures can be verified and audited; if the workload measure is consistently counted throughout the state; and if the data is accurate.

**Data validity** – Does the measure apply to clerk work? Does it describe what clerks do? Is it in fact a workload measure, or is it a cost factor, a methodology, or something else (see Attachment 1)? A complete set of workload measures for any clerk office should fully describe all the work activities of that clerk’s office.

**Collectability** – Can the units of the workload measure be easily collected without excessive effort? A properly defined workload measure cannot be used for budget comparisons if the number of units (and thus the cost) cannot be determined. Units that are accumulated electronically are to be preferred over those that have to be manually counted (especially in large counties). How much effort is *worth it* to collect units is somewhat subjective and may vary from county to county.

**Correlation to clerk costs** – Since the workload measure is under consideration for use in comparing budgets and cost, there needs to be a high correlation to clerk costs. CCOC defines that as the measure describing a significant portion of the clerk budget. Also, the measure needs to be able to be distributed; the cost of the activity needs to be able to be determined or at least reasonably estimated to be useful for budget comparison.

**Pros and cons of the workload measures (Attachment 3)**

**Attachment 3** displays the results of testing the top nine workload measures from the clerk survey against the four criteria outlined above. All of these workload measures had a majority of respondents approving their use as a workload measure. The results of the testing are as follows:

**New Cases Filed** – met all four criteria (valid, reliable, easily collected, and high cost correlation). This workload measure was almost universally approved in the clerk survey, and many of the comments supported the results of the criteria testing. Clerks said it was easily collected, accurate (reliable), consistent, universal, describes our work (valid), and objective (reliable). If only one workload measure
was selected, this would be the one. As one respondent put it so well, “This is what we do. This is our widgets.” The only significant negative is that, while it describes most of what a clerk does, it does not describe all of the work activity of a clerk (see reopened cases and prior year activity).

**Reopened Cases** – met three of the four criteria (valid, easily collectible, and high cost correlation) but was rated “moderate” in reliability. This speaks to the current inconsistency of the data received from the clerks after Reopened Cases were used as a budget comparison workload measure. It says that all clerks are not counting Reopened Cases the same way, or don’t define or measure the activity in the same way. Some of the reasons for the inconsistency are administrative orders, SRS reporting requirements, and judicial requirements. Indeed, in the negative comments for Reopened Cases we find, “…counties are not consistent, standard counting is not consistent, not a good gauge for comparison.”

**Notices of Appeal** – met three of the four criteria (valid, reliable, and easily collectible) but did not meet high cost correlation. While clerks felt that this measure was valid in that it reflected clerk workload and described a good deal of work effort, the data received by CCOC was found to not have a high cost correlation in terms of being able to cost out and compare the activity from one county to another.

**Jurors Summoned** - met three of the four criteria (valid, reliable and easily collectible) but did not meet high cost correlation. This workload measure has a direct impact on workload, is a good measure of effort, and the units are easily counted; however, there is not a high cost correlation in that the measure does not describe a significant portion of the clerk budget. Many of the negative comments related to the fact that as a workload measure, jurors summoned is “not material”.

**Financial Receipts/Transactions** - met three of the four criteria (valid, easily collectible, and high cost correlation) but was rated *moderate* in reliability. Due to varying systems, business practices, and historical traditions, procedures for handling financial receipts and transactions vary from county to county. This variance prevents the ability to determine a consistent, reliable timeframe for comparison purposes. Also, while the activity may describe a considerable amount of effort and cost for particular staff in the clerk’s office, overall it does not describe a significant portion of the clerk’s budget.

**Prior Year Case Activity** – this workload measure met two of the four criteria (valid and high cost correlation). While there was general agreement that the measure describes a large part of clerk workload and in that sense is a valid workload measure, it did not meet the criteria of reliability or easily
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collected. This is undoubtedly due to measurement problems with this measure, i.e. what constitutes a unit of prior year case activity. Many of the prior year activity units are captured in other workload measures, such as docket entries and financial transactions. The application of business rules needs to be consistent from county to county in order for this measure to meet the two remaining criteria.

Docket Entries - met three of the four criteria (valid, easily collectible, and high cost correlation) but did not meet reliability criteria. While it describes an activity that reflects workload and activity, decisions on how and what to docket vary from county to county based on traditional processes and practices. As such, it is difficult to compare data on docket entries at present.

Jurors Paid – This measure is a good candidate for consideration as a workload measure for budget comparison purposes. However, it does not meet the criteria of high cost correlation, which indicates that it does not describe an activity that comprises a significant portion of the clerk’s budget.

Jury Trials Held – This workload measure, while being approved by a majority of clerks, did not have strong approvals and had some significant negatives, including “not a good measure of overall time,” “too much variation,” and “irrelevant”). While it met two of the four criteria (valid and easily collectible) it did not meet reliable or high cost correlation. Although jury trials can be a significant amount of time for the clerk, the measurement of time is not consistent, which affects reliability and cost considerations. Also, this is a workload measure that can be significantly impacted by cost factors.

Recommendation - New Cases Filed (by court division) be used for budget comparison purposes

Given the above criteria testing of the workload measures that a majority of the clerks approved for use, it is our recommendation that New Cases Filed (by court division) be the sole workload measure used for clerk budget comparison purposes at this time. This workload measure has been determined by the CCOC Finance and Budget Committee to be valid and reliable.

In addition, Reopened Cases and Prior Year Cases with activity should also be considered as workload measures for budget comparison purposes if, subsequent to collecting data, these measures are tested and determined to be reliable and compliant with all four criteria. Given that two (Prior Year cases) and three (Reopened Cases) criteria have been met, these measures can be used for budget comparison purposes now, but with a reduced degree of confidence.
Additionally, the CCOC could consider using additional workload measures to compare budgets in the future if these workload measures meet the four test criteria outline in this report. Also, the CCOC may consider which clerk procedures could be better aligned to increase comparison purposes that meet the four test criteria described.

If CCOC uses any measures without meeting the test criteria, clerks run the risk of reduced reliability, excessive collection effort, reduced costing accuracy, inconsistency, and invalid comparisons. This would result in budget decisions that would ultimately short-change some, if not all clerks.

Regardless of its use in comparing budgets, CCOC should continue collecting the current inventory of workload measures (see discussion below).

**What is deficient in the other workload measures that will need to be remediated?**

**Reopened Cases** – data reliability and consistency

**Notices of Appeal** - ability to accurately cost out the activity

**Jurors Summoned** - ability to accurately cost out the activity

**Financial Receipts/Transactions** - data reliability and consistency

**Prior Year Case Activity** - data reliability and consistency; collection issues; definition of prior year case activity unit

**Docket Entries** - data reliability and consistency

**Jurors Paid** – establishing business rules; needs to be a more significant portion of budget

**Jury Trials Held** - data reliability and consistency; costing correlation, ability to accurately cost out the activity
Study of Workload Measures

Other considerations

**Weighted workload measures** – in considering the use of workload measures for budget comparison purposes, there is an obvious and essential link to activity effort and resultant cost, and one of the test criteria for budget comparison is high cost correlation. Using New Cases Filed units (cases) alone to distribute budgets will be unfair, since the cost of processing a traffic civil case on average is much less than the cost of processing a criminal felony case, for example. The case units must be either weighted relative to their respective costs (a traffic civil case is x, a felony case takes 10 times more time, so it is 10x), or the un-weighted case units must be applied to division budgets which accurately reflect the time and cost of processing these case types. In the latter case, there is a de facto weighting of units that results in relatively accurate budget comparisons by case type between counties.

**Single workload measure vs. multiple measures** – if these weighted (or de facto weighted) case type workload measures are consolidated into a single metric for each county, it would be an acceptable single number to be used for budget comparison/distribution purposes only. For uses other than budget comparison, multiple workload measures are preferable, since the more workload measures used, the more accurate, more complete, more nuanced picture of what the clerk does will result. Any additional workload measures used to describe the workload of the clerk (validity) will have to meet the other three criteria in order to be used for budget comparison/distribution purposes. The question to be answered is – can consistently applied business rules be developed for these additional workload measures?

**Workload measures not sole factor in comparing budgets and distributing resources** – In addition to applicable workload measures, other factors include cost factors (discussed above) and performance measures. All three elements play into the budget distribution process when budgets of similarly-situated counties are being compared.

If recommending only one for budget comparisons, why keep collecting data on the others?

Workload measures are not only important for comparing budgets, but should also be used as an education tool for the public and Florida Legislature to tell the story of what Clerk offices do, and can be an important tool for Clerk offices to assist them in creating budget and identifying efficiencies in their offices.
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It is important that the clerks have credible workload measures to both fairly and accurately measure performance and to maintain credibility with the Legislature. We have discussed above the criteria that needs to be met for a workload measure to be used for budget comparison purposes, and in what criteria each workload measure is deficient, but what is the cost in time and money of remediating these deficiencies? Clerks may decide that the juice isn’t worth the squeeze, but at least the workload measure can still be used to help tell the story to the Legislature and others. The more they know about what clerks do, the better.

Other uses of workload measures include their use in the day-to-day operational management of the clerk’s office. They can be used during the budget year to review clerk needs, in that the more complete picture of the clerk’s workload will help explain any need for additional resources.

Workload measures can also be used to analyze internal work processes and re-allocate resources, resulting in more efficient and effective use of resources. They can be used to determine how resources are being used, and enable the clerk management team to get a more complete and comprehensive view of all the work activities of the office.

As a result, workload measures can enable the clerk management team to connect workload levels and performance assessments to available and/or needed resources. They provide the ability for the clerks to manage changing budget conditions based on workload and related budget realities and pressures.

All of these are benefits of using workload measures in addition to their use as a means of comparing budgets.

The question and issue that remains for the corporation is what level of effort is required and desirable to collect workload measure information to be used for budget comparison and other purposes?

Simple is easier, accurate is fairer – where on the continuum do the clerks want to be?
Attachments
### "Other" Measures Suggested from On-line Questionnaire

<table>
<thead>
<tr>
<th>Workload Measure</th>
<th>Type of Workload Measure</th>
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<th>Type of Cost Factor</th>
<th>Methodology</th>
<th>Type of Methodology Analysis</th>
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<td>1 Workload</td>
<td>Number of indigent applications processed</td>
<td>1 Cost factor</td>
<td>Extra duties mandated by local Administrative Orders</td>
<td>1 Methodology</td>
<td>Cases per FTE</td>
<td>1 Unknown</td>
<td>Collection and Timeliness Performance</td>
</tr>
<tr>
<td>2 Workload</td>
<td>Number of e-filings</td>
<td>2 Cost factor</td>
<td>Prisoner Litigation</td>
<td>2 Methodology</td>
<td>Jail or probation sentenced cases vs. total criminal cases</td>
<td>2 Unknown</td>
<td>Unique situations</td>
</tr>
<tr>
<td>3 Workload</td>
<td>Number of Jury trials scheduled</td>
<td>3 Cost factor</td>
<td>Revenue Collected</td>
<td>3 Methodology</td>
<td>County demographics related to per capita income</td>
<td>3 Unknown</td>
<td>Amount of citations paid</td>
</tr>
<tr>
<td>4 Workload</td>
<td>Number of Hours preparing for court</td>
<td>4 Cost factor</td>
<td>Local Judicial Orders</td>
<td>4 Methodology</td>
<td>New cases weighted by case type</td>
<td>4 Unknown</td>
<td>Amount of driver licenses reinstated</td>
</tr>
<tr>
<td>5 Workload</td>
<td>Number of Jurors actually reporting (plus excused)</td>
<td>5 Cost factor</td>
<td>Staff size</td>
<td>5 Methodology</td>
<td>Number of court events and the % of court events staffed by clerks</td>
<td>5 Unknown</td>
<td>Documents processed from case initiation and subsequent filings</td>
</tr>
<tr>
<td>6 Workload</td>
<td>Registry transactions</td>
<td>6 Cost factor</td>
<td>Phone answering, sending and reading emails, copying, pulling docs. and cases from e-portal</td>
<td>6 Methodology</td>
<td>جار</td>
<td>6 Unknown</td>
<td></td>
</tr>
<tr>
<td>7 Workload</td>
<td>Number of Public record searches</td>
<td>7 Cost factor</td>
<td>Multiple facilities</td>
<td>7 Methodology</td>
<td></td>
<td>7 Unknown</td>
<td></td>
</tr>
<tr>
<td>8 Workload</td>
<td>Number of Small claims/eviction pro se cases</td>
<td>8 Cost factor</td>
<td>Quantify printing and staff costs when judges require paper files</td>
<td>8 Methodology</td>
<td></td>
<td>8 Unknown</td>
<td></td>
</tr>
<tr>
<td>9 Workload</td>
<td>Number of Existing reports</td>
<td>9 Cost factor</td>
<td>Number of judges</td>
<td>9 Methodology</td>
<td></td>
<td>9 Unknown</td>
<td></td>
</tr>
<tr>
<td>10 Workload</td>
<td>Number of payment plans issued</td>
<td>10 Cost factor</td>
<td>Average length of service of staff or how many people are on payroll more than 20 years</td>
<td>10 Methodology</td>
<td></td>
<td>10 Unknown</td>
<td></td>
</tr>
<tr>
<td>11 Workload</td>
<td>Number of Customers served</td>
<td>11 Cost factor</td>
<td>Printing and filing paper copies of efiled pleadings</td>
<td>11 Methodology</td>
<td></td>
<td>11 Unknown</td>
<td></td>
</tr>
<tr>
<td>12 Workload</td>
<td>Number of Service documents issued</td>
<td>12 Cost factor</td>
<td>Hours open to the public</td>
<td>12 Methodology</td>
<td></td>
<td>12 Unknown</td>
<td></td>
</tr>
<tr>
<td>13 Workload</td>
<td>Number of Prison sentences</td>
<td>13 Cost factor</td>
<td>Number of judges requiring trial clerks</td>
<td>13 Methodology</td>
<td></td>
<td>13 Unknown</td>
<td></td>
</tr>
<tr>
<td>14 Workload</td>
<td>Number of Payment plans established</td>
<td>14 Cost factor</td>
<td>Number of pages scanned</td>
<td>14 Methodology</td>
<td></td>
<td>14 Unknown</td>
<td></td>
</tr>
<tr>
<td>15 Workload</td>
<td>Number of Judicial sales</td>
<td>15 Cost factor</td>
<td>Number of new legislative actions impacting clerks</td>
<td>15 Methodology</td>
<td></td>
<td>15 Unknown</td>
<td></td>
</tr>
<tr>
<td>16 Workload</td>
<td>Number of Indigent applications</td>
<td>16 Cost factor</td>
<td>Number of work locations</td>
<td>16 Methodology</td>
<td></td>
<td>16 Unknown</td>
<td></td>
</tr>
<tr>
<td>17 Workload</td>
<td>Number of hearings clerked in court</td>
<td>17 Cost factor</td>
<td>Paper files provided for judges</td>
<td>17 Methodology</td>
<td></td>
<td>17 Unknown</td>
<td></td>
</tr>
<tr>
<td>18 Workload</td>
<td>Number of Out-of-county warrant case</td>
<td>18 Cost factor</td>
<td>Number of evidence items admitted</td>
<td>18 Methodology</td>
<td></td>
<td>18 Unknown</td>
<td></td>
</tr>
<tr>
<td>19 Workload</td>
<td>Number of Partial payments collected</td>
<td>19 Cost factor</td>
<td>Number of docket entries with images attached</td>
<td>19 Methodology</td>
<td></td>
<td>19 Unknown</td>
<td></td>
</tr>
<tr>
<td>20 Workload</td>
<td>Number of bench trials held</td>
<td>20 Cost factor</td>
<td>Number of documents redacted</td>
<td>20 Methodology</td>
<td></td>
<td>20 Unknown</td>
<td></td>
</tr>
<tr>
<td>21 Workload</td>
<td>Number of phone calls received</td>
<td>21 Cost factor</td>
<td>Dedicated collection staff</td>
<td>21 Methodology</td>
<td></td>
<td>21 Unknown</td>
<td></td>
</tr>
<tr>
<td>22 Workload</td>
<td>Number of garnishments issued</td>
<td></td>
<td></td>
<td>22 Methodology</td>
<td></td>
<td>22 Unknown</td>
<td></td>
</tr>
<tr>
<td>23 Workload</td>
<td>Number of summons, subpoenas, notices, writs, LOPs, capias, defaults, etc. issued</td>
<td></td>
<td></td>
<td>23 Methodology</td>
<td></td>
<td>23 Unknown</td>
<td></td>
</tr>
<tr>
<td>24 Workload</td>
<td>Number of Court cases reset</td>
<td></td>
<td></td>
<td>24 Methodology</td>
<td></td>
<td>24 Unknown</td>
<td></td>
</tr>
<tr>
<td>25 Workload</td>
<td>Number of Judicial sales scheduled</td>
<td></td>
<td></td>
<td>25 Methodology</td>
<td></td>
<td>25 Unknown</td>
<td></td>
</tr>
</tbody>
</table>
### Workload Measures Required by Section 28.35 (2)(d) 1, F.S.

#### Summary Results Q 1&2/Comments

*ATTACHMENT 2*

<table>
<thead>
<tr>
<th>Workload Measures</th>
<th>Would you recommend this workload measure to be used by CCDC in their budget comparisons?</th>
<th>Number of Comments should use in Budget Process</th>
<th>Number of Comments should NOT use</th>
<th>Key Comments</th>
<th>Key Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Cases filed (by court division)</td>
<td>yes</td>
<td>53</td>
<td>88.3%</td>
<td>50</td>
<td>Easily collected, consistent, objective, accurate, our &quot;widget&quot; comparable, universal, historical</td>
</tr>
<tr>
<td>Reopen Cases (by court division)</td>
<td>yes</td>
<td>48</td>
<td>80.0%</td>
<td>46</td>
<td>Easily collected, direct impact on workload, accurately compares counties, objective, it is reflect our &quot;work&quot;</td>
</tr>
<tr>
<td>Jurors summoned</td>
<td>yes</td>
<td>43</td>
<td>71.7%</td>
<td>41</td>
<td>Direct impact on workload, accurately measures activity, good measure of effort, good way to measure this function</td>
</tr>
<tr>
<td>Prior year cases with activity (by court division)</td>
<td>yes</td>
<td>40</td>
<td>66.7%</td>
<td>39</td>
<td>Accurately compares counties, consistent, large part of our workload, business rules have been established, captures work</td>
</tr>
<tr>
<td>Docket Entries (by court division)</td>
<td>yes</td>
<td>39</td>
<td>65.0%</td>
<td>38</td>
<td>Accurately reflects workload &amp; activity, consistently measurable, accurately compared among counties</td>
</tr>
<tr>
<td>Jurors paid</td>
<td>yes</td>
<td>39</td>
<td>65.0%</td>
<td>38</td>
<td>Reflects workload, measure of finance staff work, measure of jurors we use, accounts for jury mgmt &amp; finance time</td>
</tr>
<tr>
<td>Jury trials held</td>
<td>yes</td>
<td>33</td>
<td>53.3%</td>
<td>32</td>
<td>Not a good measure of overall time, number of trials not a factor length of trials is, too much variation, irrelevant</td>
</tr>
<tr>
<td>Statutorily mandated/required reports</td>
<td>yes</td>
<td>29</td>
<td>48.3%</td>
<td>26</td>
<td>Part of our workload, lot of time spent on these, very time consuming</td>
</tr>
<tr>
<td>Hours in court</td>
<td>yes</td>
<td>27</td>
<td>45.0%</td>
<td>26</td>
<td>Helps determine court costs, measures trial time, court hours should be included, budget impact, probably not counted now</td>
</tr>
<tr>
<td>Family pro se cases served</td>
<td>yes</td>
<td>22</td>
<td>36.7%</td>
<td>22</td>
<td>Very time consuming, part of our workload, impact on offices with high pro se load</td>
</tr>
<tr>
<td>Customers served</td>
<td>yes</td>
<td>16</td>
<td>26.7%</td>
<td>16</td>
<td>Valid in comparing budgets, accurate measures</td>
</tr>
<tr>
<td>Witness checks paid</td>
<td>yes</td>
<td>16</td>
<td>26.7%</td>
<td>17</td>
<td>Part of our workload, this is accounting dept overhead, any functions requiring work should be considered</td>
</tr>
<tr>
<td>Subpoenas issued</td>
<td>yes</td>
<td>12</td>
<td>20.0%</td>
<td>12</td>
<td>It’s part of our workload, directly impacts operating budget</td>
</tr>
</tbody>
</table>

1. New Cases filed (by court division)  
2. Reopen Cases (by court division)  
3. Jurors summoned  
4. Prior year cases with activity (by court division)  
5. Docket Entries (by court division)  
6. Jurors paid  
7. Jury trials held  
8. Statutorily mandated/required reports  
9. Hours in court  
10. Family pro se cases served  
11. Customers served  
12. Witness checks paid  
13. Subpoenas issued

---

**Comments**: Would you recommend the number of comments to be used in their rankings based on measures? Some measures are not consistent, standard counting not consistent, not a good gauge for comparison. Would you recommend the number of comments to be used in their rankings based on measures? Some measures are not consistent, standard counting not consistent, not a good gauge for comparison.
## Workload Measure Test Criteria

<table>
<thead>
<tr>
<th>Workload Measure</th>
<th>Valid</th>
<th>Reliable</th>
<th>Easily Collected</th>
<th>High Cost Correlation</th>
<th>Total YES's</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Cases Filed (by court division)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>4</td>
</tr>
<tr>
<td>Reopen Cases (by court division)</td>
<td>Yes</td>
<td>moderate</td>
<td>Yes</td>
<td>Yes</td>
<td>3</td>
</tr>
<tr>
<td>Prior Year Cases (by court division)</td>
<td>Yes</td>
<td>No</td>
<td>moderate</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Financial Receipts/transactions</td>
<td>Yes</td>
<td>moderate</td>
<td>Yes</td>
<td>Yes</td>
<td>3</td>
</tr>
<tr>
<td>Juror Summoned</td>
<td>Yes</td>
<td>yes</td>
<td>Yes</td>
<td>No</td>
<td>3</td>
</tr>
<tr>
<td>Jurors paid</td>
<td>Yes</td>
<td>yes</td>
<td>Yes</td>
<td>No</td>
<td>3</td>
</tr>
<tr>
<td>Jury trial held</td>
<td>Yes</td>
<td>moderate</td>
<td>Yes</td>
<td>No</td>
<td>2</td>
</tr>
<tr>
<td>Notices of appeal</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>3</td>
</tr>
</tbody>
</table>

**Cuts across all types of cases**

<table>
<thead>
<tr>
<th>Docket Entries: Allows multiple touches to new, reopen, and prior year cases be counted (by court division)</th>
<th>Valid</th>
<th>Reliable</th>
<th>Easily Collected</th>
<th>High Cost Correlation</th>
<th>Total YES's</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>3</td>
</tr>
</tbody>
</table>

*Valid* means meaningful to explain what work is accomplished

*Reliable* means the data is consistently collected and auditable

*Collectible* means data is easily collected and at a reasonable costly

*High cost correlation* means collectively explains significant portion of budget and/or able to cost out activity