



TEXAS CENTER
FOR THE JUDICIARY

Texas Child Protective Services Workload Assessment
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Office of Court Administration
2016 Child Welfare Judicial Conference
November 14-16, Austin

Texas Child Protective Services Workload Assessment

Goal: develop a separate case weight for CPS cases to be used in analyzing judicial workload in Texas courts that handle child protection cases.



2007 Study Case Weights

Case Types	Case Weights (minutes)
Felony Group A	186
Felony Group B	39
Misdemeanors	12
Injury or Damage - MV	126
Injury or Damage - Non MV	122
Contract	53
Other Civil	27
Divorce	47
Modifications / Enforcement	33
Other Family Law	48
Delinquent Conduct	54
CINS	14

2007 Study Case Weights

Case Types	Case Weights (minutes)	
Felony Group A	186	Other Family Law includes: IV-Paternity IV-D Support Order Established Parent-Child – No divorce Other Family Law Matters Child Protection Cases
Felony Group B	39	
Misdemeanors	12	
Injury or Damage - MV	126	
Injury or Damage - Non MV	122	
Contract	53	
Other Civil	27	
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Judicial Assessment Process

<p>Current Practice "What is"</p> <p>JNAC</p> <p>Time Study</p> <p>Quality Adjustment "What should be"</p> <p>Sufficiency Survey</p> <p>Delphi Adjustments</p>	<p>Judicial Needs Assessment Committee Provide project guidance and oversight</p> <ul style="list-style-type: none"> • Events – Types of hearings • Review judge-day and judge-year values • Establish scope and method of time study data collection (e.g., participation sampling strategy, duration)
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Elements used to calculate number of judges needed

- Accurate filing counts
- Judge year value
- Case weights

Calculating Resource Need Example

	Number of new filed cases	
Case Type A	1,000	Filings
Case Type B	3,000	
Case Type C	200	
	4,200	

Calculating Resource Need Example

	Number of new filed cases	*	Time (mins)	
Case Type A	1,000	*	300	Case Weights
Case Type B	3,000	*	50	
Case Type C	200	*	125	
	4,200			

Calculating Resource Need Example

	Number of new filed cases	*	Time (mins)	=	Workload (mins)
Case Type A	1,000	*	300	=	300,000
Case Type B	3,000	*	50	=	150,000
Case Type C	200	*	125	=	25,000
	4,200				475,000
					Workload

Calculating Resource Need Example

Total
Workload
(mins)

475,000

Calculating Resource Need Example

Total
Workload (mins) ÷ Judge Year
Value (mins) Amount of time
475,000 ÷ 77,400 available in a year
to handle cases

Calculating Resource Need Example

Total
Workload (mins) ÷ Judge Year
Value (mins) = Implied
Judge Need

475,000 ÷ 77,400 = 6.1

Available Judicial Officer Time

“Judge day”— Number of hours per day judicial officers are available for case-related activities

“Judge year”— Number of days per year judicial officers are available to perform case-related activities

Factors determine a “standard” for the total time judicial officers have available each year

Available Judicial Officer Time

Case-related matters: Time spent handling cases both on-bench and off-bench.

Non-case related: Time spent on functions not directly case-related.



Non-Case-Related Events

-  Work-related travel time
-  Non-case-related administration
-  Judicial education and training
-  General legal research
-  Committee, other meetings and related work
-  Community activities and public outreach
-  Vacation, sick leave, and holidays

Judge Years (in days) in Selected States

State	Judge Year	State	Judge Year
Arkansas	226	Texas	215
Missouri	224	Michigan	215
Delaware	222	Minnesota	215
New York	221	New Mexico	214
Colorado	220	Washington	214
Georgia	220	Connecticut	213
Oregon	220	Nebraska	211
Maine	219	Utah	211
New Hampshire	219	Louisiana	209
Hawaii	218	Wisconsin	209
Virginia	216	North Dakota	205
Florida	215	Alabama	200
California	215	25-state average	215 days

Texas Judge Day

The standard judge day reflects judge time actually spent on case-related matters (both on and off the bench).

- The standard judge day is:
 - 6 hours for judicial officers in Jurisdictional Patterns 1 and 2
 - 5.5 hours for judicial officers in Jurisdictional Patterns 3, 4, 5, 6
 - 5 hours for judicial officers in Child Protection Courts

District Court Jurisdictional Patterns

- 1 Single County, Multiple Courts, No Courts Serve Another County
- 2 Single County, Single Court, Court Does Not Serve An Another County
- 3 Multiple Counties, Multiple Courts, Identical Jurisdictions
- 4 Multiple Counties, Single Court
- 5 Multiple Counties, Multiple Courts, One Separate Jurisdiction
- 6 Multiple Counties, Multiple Courts, Many Separate Jurisdictions

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Judge Year Value: Jurisdictional Patterns 1 and 2

215 days x 6 hours/day x 60 minutes = 77,400 minutes

→ Each FTE judge has 77,400 minutes per year for case-related work

Texas Judge Day

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- The standard judge day is:
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 - 5 hours for judicial officers in Child Protection Courts

Judicial Assessment Process

Current Practice
"What is"

JNAC

Time Study

Quality Adjustment
"What should be"

Sufficiency
Survey

Delphi
Adjustments

Time Study

October 26 – November 22, 2015

- Benchmark of current practice
- Participants: 19 CPC clusters & 37 district court judges
- Event-based analysis
 - How much time do judges spend on hearings in the life of a CPS case?
- Case weights describe "what is"

Time Study

Daily Time Log

	10/26/15	10/27/15	10/28/15
Initial permanency hearing			
Subsequent permanency hearing			
Motions and additional hearings			
Final hearing			
Removal hearing			
Adversary or 14-day hearing			
Show cause hearing			
Status hearing			
Initial permanency hearing			
Subsequent permanency hearing			
Motions and additional hearings			
Final hearing			
Removal hearing			
Adversary or 14-day hearing			
Show cause hearing			
Status hearing			
Initial permanency hearing			
Subsequent permanency hearing			
Motions and additional hearings			
Final hearing			
Removal hearing			
Adversary or 14-day hearing			
Show cause hearing			
Status hearing			

Web-based tool

Date	Initial permanency hearing	Subsequent permanency hearing	Motions and additional hearings	Final hearing	Removal hearing	Adversary or 14-day hearing	Show cause hearing	Status hearing
10/26/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
10/27/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
10/28/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
10/29/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
10/30/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
10/31/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/01/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/02/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/03/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/04/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/05/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/06/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/07/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/08/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/09/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/10/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/11/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/12/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/13/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/14/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/15/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/16/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/17/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/18/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/19/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/20/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/21/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00
11/22/15	0:00	0:00	0:00	0:00	0:00	0:00	0:00	0:00

Hearings

- 1 Removal hearing
- 2 Adversary or 14-day hearing
- 3 Show cause hearing
- 4 Status hearing
- 5 Initial permanency hearing
- 6 Subsequent permanency hearing (before final hearing)
- 7 Motions and additional hearings (before final hearing)
- 8 Final hearing
- 9 Motions and additional hearings (post final hearing)
- 10 Permanency hearing (after final order)

Time Study

CPC Judges	Duration (Time)			Average per Hearing			Frequency	Case Weight	
	Prep	Hearing	Total	# Hearings	Prep	Hearing			Aug Time/
					Time	Time			Hearing
Emergency removal (ex parte) hearing	1,185	1,245	2,430	90	13.2	13.8	27.0	35.7%	9.6
Non-emergency hearing	2,755	2,625	5,380	112	24.6	23.4	48.0	22.1%	10.6
Adversary or 14-day hearing	2,990	8,550	11,520	248	12.1	33.6	45.6	67.3%	30.7
Status hearing	3,275	5,180	8,435	255	12.8	20.2	33.1	71.2%	23.6
Initial permanency hearing before final order	2,745	4,530	7,275	193	14.2	23.5	37.7	65.1%	24.5
Subsequent permanency hearings before final order	4,035	6,920	10,955	295	13.8	23.6	37.4	125.2%	46.8
Motions and additional hearings pre-final hearing	2,350	4,010	6,360	208	11.3	19.3	30.6	98.5%	30.1
Final hearing	5,240	12,045	17,285	245	21.4	49.2	70.6	107.4%	75.8
Motions and additional hearings post-final hearing	1,515	2,510	4,025	128	11.8	19.6	31.4	10.6%	3.3
Permanency hearings after final order	4,745	6,630	11,375	427	11.1	15.5	26.6	94.9%	25.3
	30,835	54,005	84,840	2,199					280.4

Average Prep Time for Status Hearings
 3,275 minutes ÷ 255 hearings = 12.8 minutes of prep time per hearing
 Average Hearing Time for Status Hearings
 5,160 minutes ÷ 255 hearings = 20.2 minutes per hearing

Time Study

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12.8 minutes of prep time + 20.2 minutes of hearing time = 33.1 total minutes

Time Study

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CALCULATE CASE WEIGHT COMPONENT:
 Total minutes X Frequency of occurrence = Case Weight
 Frequency of occurrence based on cases filed in CY 2011, 2012, 2013

Time Study

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33.1 minutes X 71.2% = 23.6 minutes

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CPS time study case weights

- All judges (CPC and District) = 238 minutes
- CPC judges = 280.4 minutes
- District Judges = 197.7 minutes

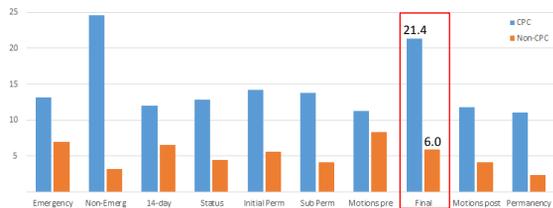
What Is A Case Weight?

The case weight represents the average amount of time judicial officers spend on the handling of cases.

Example:

A case weight of 150 minutes means that, on average, a case of this type requires 150 minutes of judge time from filing through post-disposition activity.

PREP TIME – Final Hearing



Judicial Assessment Process

Current Practice
"What is"

JNAC

Time Study

Quality Adjustment
"What should be"

Sufficiency Survey

Delphi Adjustments

Sufficiency Survey

- Web-based survey
- Input from CPC and District judges statewide
- For each activity related to specific hearings in Child Protective Services cases, please indicate *how often you feel that additional time would improve adherence to quality standards.*
- Used by Delphi groups to identify tradeoffs, bottlenecks, or areas of perceived resource constraints

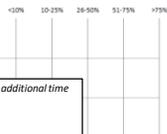
Sufficiency Survey

Adversary or 14-Day Hearing

Activities

- review reports and case file prior to hearing
- determine whether reasonable efforts have been made to avoid removal and/or reunify child with parents
- address issues of service
- ensure that parents understand terms of order and next steps
- prepare and enter order
- identify all parties and inquire about absent
- admonish parents re. right to an attorney
- ensure family visitation plan has been filed
- determine applicability of Indian Child Welfare

proportion of hearings where additional time is needed to meet quality standards



Sufficiency survey -- *how often do you feel that additional time would improve adherence to quality standards.*

- 1) fewer than 10 percent of cases
- 2) 10 to 25% of cases
- 3) 26 to 50% of cases
- 4) 51 to 75% of cases
- 5) more than 75% of cases

Quality Adjustment (Delphi)

Current Practice
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Survey

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Adjustments

Quality Adjustment Sessions

Structured method for assessing reasonableness of case weights

- Gather expert opinion on key case-related activities
- Think explicitly about how specific types of cases are handled
- Discuss how much time should be spent
 - Provide specific rationales for adjustments
- Consensus-based approach

Quality Adjustment (Delphi)

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Adjustments Made

- **Status Hearing: 5 additional minutes**
 - To allow more time for hearing, discuss placement options, consider service plans
- **Initial Permanency Hearing: 5 additional minutes**
 - To allow more time to review how each child is doing, providing a thorough discussion of permanence plan, and address procedural issues

Quality Adjustment (Delphi)

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Adjustments Made

- **Permanency Hearing after Final Order – 15 additional minutes in 40% of cases**
 - To allow more time to talk with the child, therapist, family members to examine reasons for placement changes, necessity of residential treatment, and goals for achieving permanency

Final CPS Case Weight



293 minutes per CPS case filed



11,958 CPS cases filed (FY16)



Total need statewide = 45 to 54 full-time equivalent
judicial officers

Questions?



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