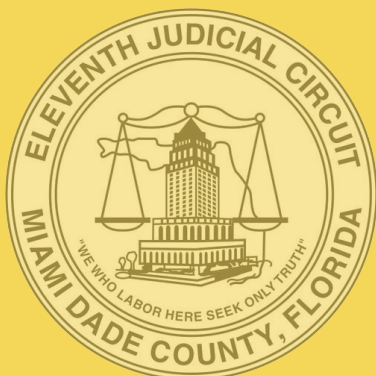




ELEVENTH JUDICIAL  
CIRCUIT OF FLORIDA  
MIAMI

# CIVIL JUSTICE INITIATIVE PILOT PROJECT

## PERFORMANCE REPORT



# TABLE OF CONTENTS

<b>PROJECT OVERVIEW</b>	<b>3-5</b>
Summary	3
Case Management Team Structure	4
Case Management Duties and Responsibilities	4
CJIPP and Control Group Divisions	5
<b>DATA OVERVIEW</b>	<b>6</b>
Number of Cases Filed	6
Number of Cases Closed	6
Number of Cases Pending	6
<b>PERFORMANCE MEASURES</b>	<b>7-11</b>
Pending Caseload: Percent Difference	7
Pending Caseload: Percent Change	8
Time to Disposition	9
Closure Rate	10
Closure Rate: Percent Difference	11
<b>PROJECT REVIEW</b>	<b>12-13</b>
Attorney Survey Results	12
Attorney Focus Groups Results	13

The Eleventh Circuit is grateful for the support of the SJI, NCSC, and the Judicial Branch of Florida for this project, and the Circuit Civil Division is grateful to Chief Judge Bertila Soto and Trial Court Administrator Sandra Lonergan.

# PROJECT OVERVIEW

## Summary

In July 2016, the Conference of Chief Justices and the Conference of State Court Administrators adopted a set of 13 recommendations focused on ensuring courts are affordable, efficient, and fair for all. The Steering Committee for the Civil Justice Initiative Implementation Project, the National Center for State Courts, and the Institute for the Advancement of the American Legal System selected award recipients based on a competitive application process. Four courts were selected to receive grant funding to implement pilot projects following the 13 recommendations of the Conference of Chief Justices' (CCJ) Civil Justice Improvements Committee.

The Eleventh Judicial Circuit of Florida was one of the four jurisdictions nationally selected as a pilot project jurisdiction to conduct a demonstration project to study the implementation of innovations aimed at reducing cost and delay in civil cases. The grant period was January 1, 2017 through December 31, 2017. The Circuit's Civil Justice Initiative Pilot Project (CJIPP) tested team case management, which is the utilization of highly skilled civil case staffing teams to support the judiciary by providing consistent oversight to ensure that cases were progressing toward resolution in a meaningful way. Project activities included program mapping, assessing core responsibilities of staff and training, developing procedures and forms and conducting tailored case reviews. Business practices were developed to identify and manage cases according to three identified pathways. Track assignments include: complex, standard and streamlined cases and are based on specific case types and characteristics. Case Managers triaged cases and prepared case management plans proportionate to the needs of distinct case types within the recommended timeframes for each track assignment to assure timely and cost-effective resolution, monitoring and enforcement of the existing rules of civil procedure, setting deadlines for discovery and maintaining firm and realistic trial dates.

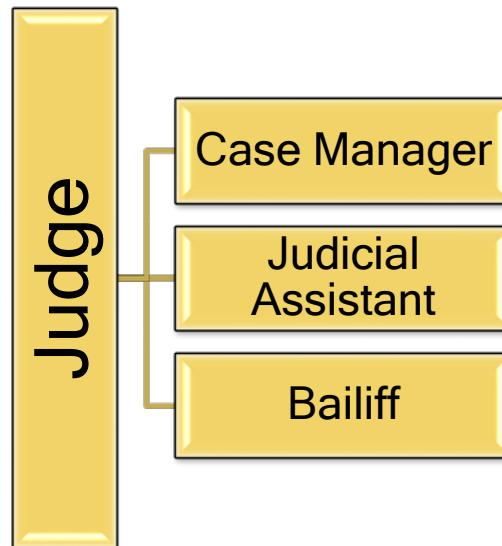
Judges observed the following;

- CJIPP promotes the attorneys, litigants/parties to work cooperatively and expeditiously because of the case management conference
- The cases resolved timely without extensive and unnecessary litigation
- Discovery issues were resolved early as a result of the deadlines imposed
- Cases settled or resolved expeditiously because of the firm deadlines

Administrative Judge Jennifer D. Bailey (lead), Judge Thomas Rebull, and Judge Rodney Smith have participated since inception. Judge Reemberto Diaz/Judge Norma Lindsay, and Judge Rodolfo Ruiz/Monica Gordo participated in divisions that transitioned judges during the project. Division Director Maria Harris, Lisette Sanabria and Yanitza Madrigal worked on project design, administration and technology/reports. Case Managers Darline Biennestin, Mikaela Koons-Velazquez and Aleta McDaniel served in the court team. The Judge's Judicial Assistants: Patsy Garbalosa, Evelyn Arvizu, Virginia Elguezabal were also critical members of the case management team.

# PROJECT OVERVIEW

## CASE MANAGEMENT TEAM STRUCTURE



## CASE MANAGEMENT DUTIES RESPONSIBILITIES

The program utilizes staff on routine matters, such as deadline reviews, so that judges can focus on the important due process and substantive issues in the case

Judge	Case Manager	Judicial Assistant	Bailiff
<ul style="list-style-type: none"> <li>• Perform tasks that require unique skills and legal expertise</li> <li>• Rule on pending motions</li> </ul>	<ul style="list-style-type: none"> <li>• Review Case Issues</li> <li>• Make Recommendations</li> <li>• Draft Case management plan</li> <li>• Review Substantive and dispositive motions</li> <li>• Highlight Legal Issues</li> </ul>	<ul style="list-style-type: none"> <li>• Schedule Cases for Trial</li> <li>• Monitor Court Compliance</li> <li>• Prepare documents for hearings</li> <li>• Communicate with lawyers and parties</li> <li>• Prepare Court Orders</li> </ul>	<ul style="list-style-type: none"> <li>• Provide security to Judge</li> <li>• Prepare courtroom for hearings</li> <li>• Intake of Cases</li> <li>• Initial Track/Pathway Assignment</li> <li>• Assemble documents for hearings</li> </ul>

# PROJECT OVERVIEW

## CJIPP AND CONTROL GROUP DIVISIONS

A total of four divisions were selected to be a part of the demonstration project. The control group consists of 15 judicial sections with similar case filing types and caseload.

CJIPP Judicial Sections	Control Group Judicial Sections
02	4
13	5
30	6
34	8
	9
	10
	11
	15
	21
	22
	23
	24
	27
	31
	32

# DATA OVERVIEW

## Number of Cases Filed

CJIPP	
Total Number of Cases	5,855
Average Number of Cases	1,464

CONTROL GROUP	
Total Number of Cases	21,992
Average Number of Cases	1,466

## Number of Cases Closed

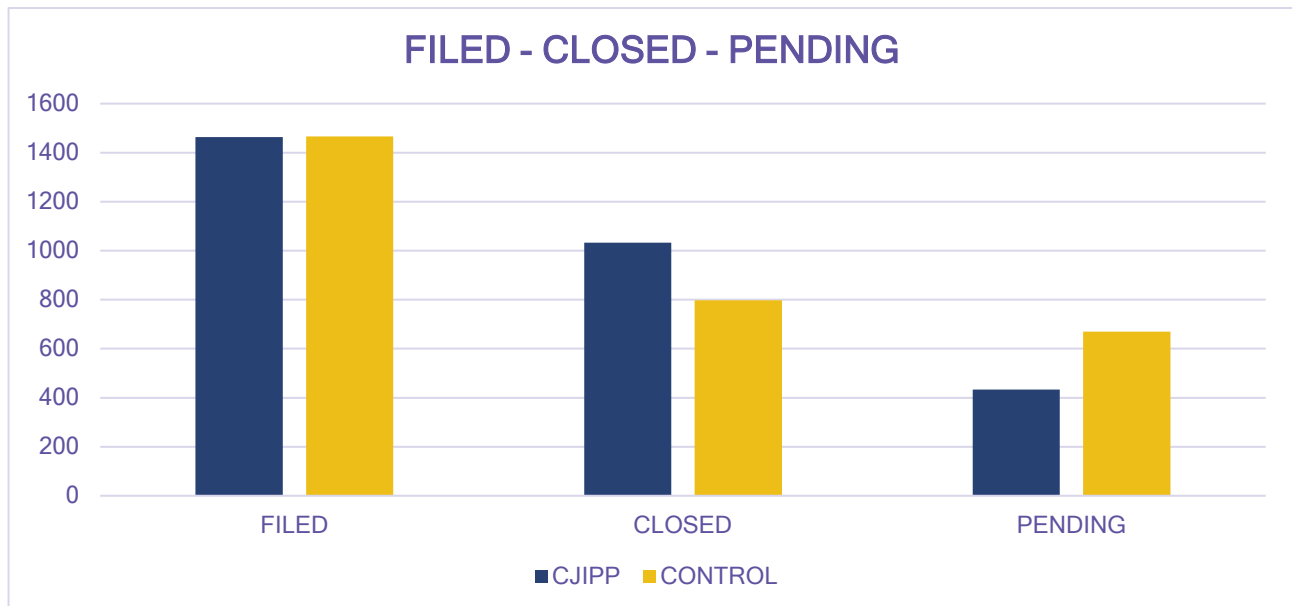
CJIPP	
Total Number of Cases	4,132
Average Number of Cases	1,033

CONTROL GROUP	
Total Number of Cases	11,951
Average Number of Cases	797

## Number of Cases Pending

CJIPP	
Total Number of Cases	1,730
Average Number of Cases	433

CONTROL GROUP	
Total Number of Cases	10,041
Average Number of Cases	669



\*Cases filed between grant period: 11/1/2016-10/31/2017

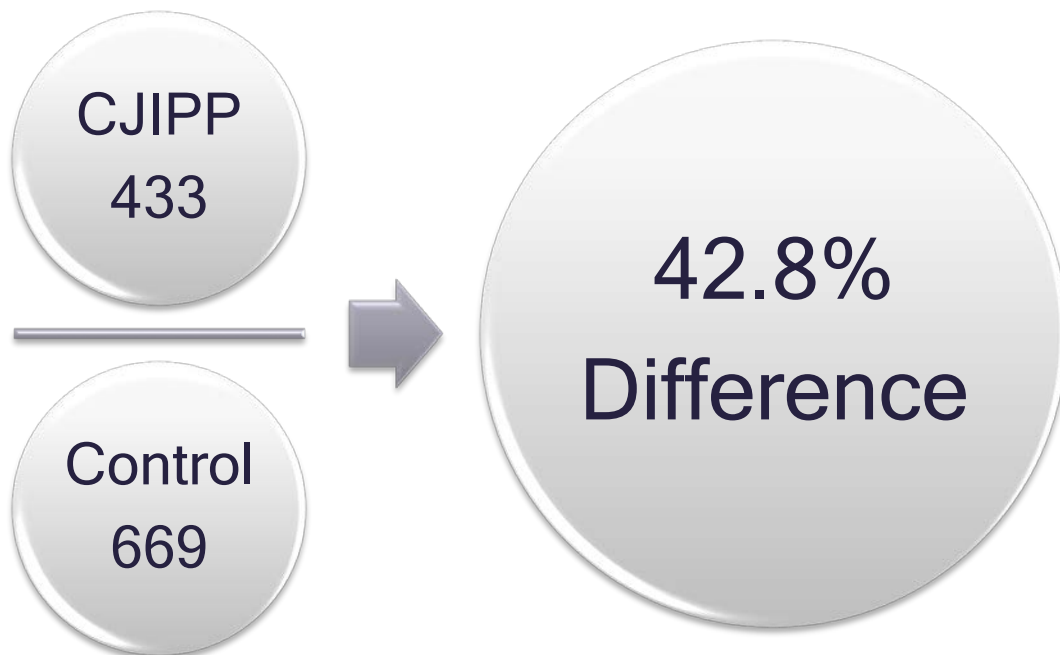
Data as of 7/16/2018

# PERFORMANCE MEASURES

## Pending Caseload: Percent Difference

CJIPP	
Total Number of Cases	1,730
Average Number of Cases	433

CONTROL GROUP	
Total Number of Cases	10,041
Average Number of Cases	669



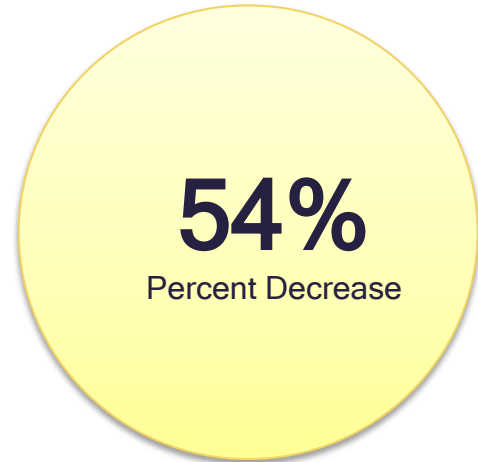
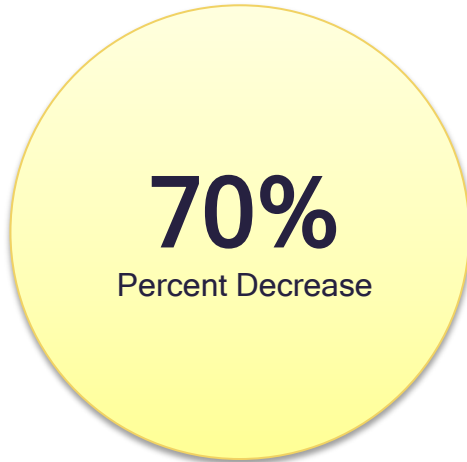
Percent difference is used to calculate the difference in percentage between two values. This metric compares two independent measurements to find out how much the measurements differ. Currently, there is a **42.8 percent difference** between the average number of cases pending in the CJIPP divisions and the average number of cases pending in the Control Group.

# PERFORMANCE MEASURES

## Pending Caseload: Percent Change

CJIPP	
	Average Number of Cases
Start of Project:	1464
Current:	433

CONTROL GROUP	
	Average Number of Cases
Start of Project	1466
Current:	669



Percent change is used to compare current and previous values over a period of time. This metric compares two measurements to illustrate the relative change between the two values. Here, the data shows that there was a **70 percent decrease** in the average pending caseload for those divisions in the CJIPP group versus a **54 percent decrease** in the average pending caseload for those divisions in the Control Group.



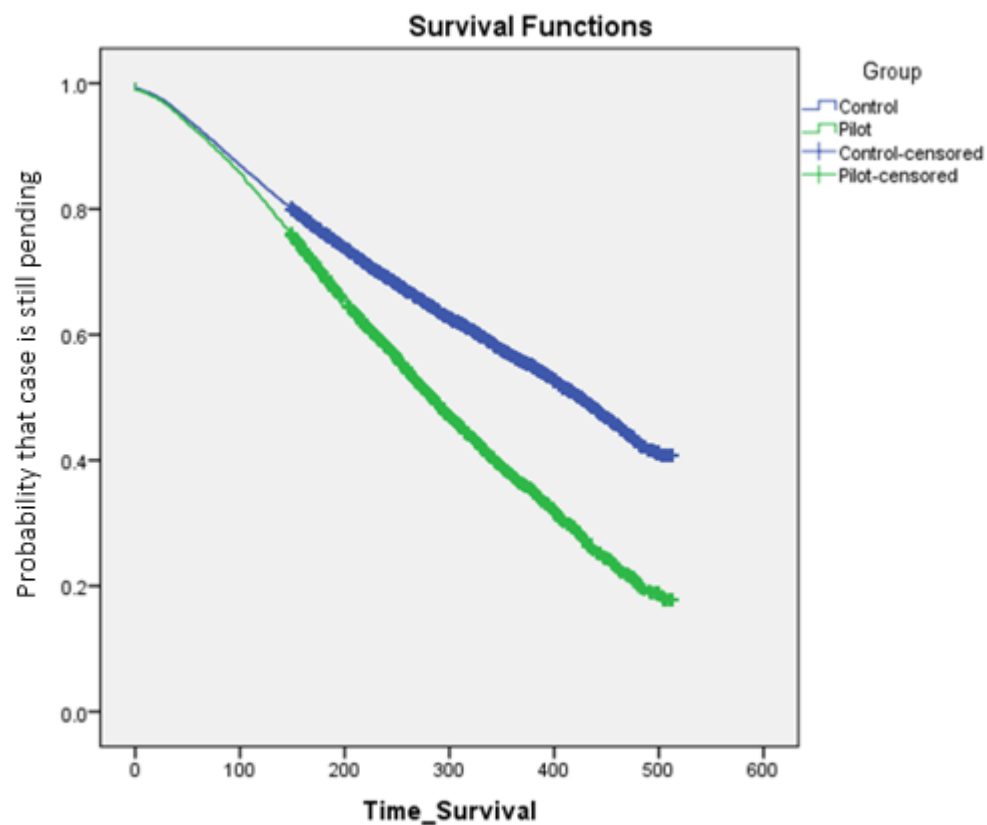
# PERFORMANCE MEASURES

## Time to Disposition

The National Center for State Courts conducted a study used to measure the time to disposition of cases assigned to CJIPP in comparison to cases assigned to the Control Group. The study revealed that on average CJIPP cases were closing **four months earlier** than cases in the Control Group.

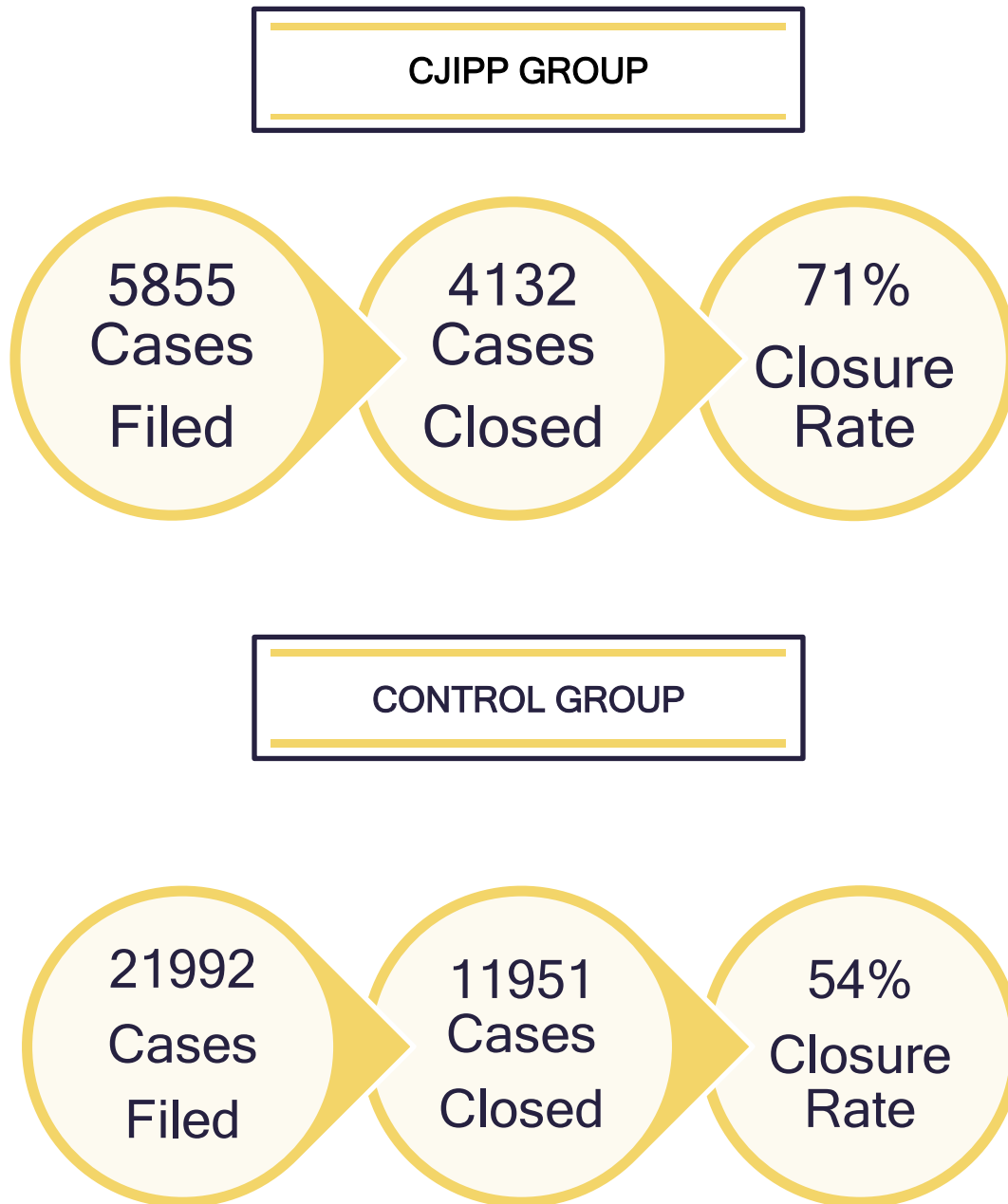
### Average Days to Disposition

CJIPP Group	291 Days
Control Group	352 Days



# PERFORMANCE MEASURES

## Closure Rate



\*Cases filed between grant period: 11/1/2016-10/31/2017

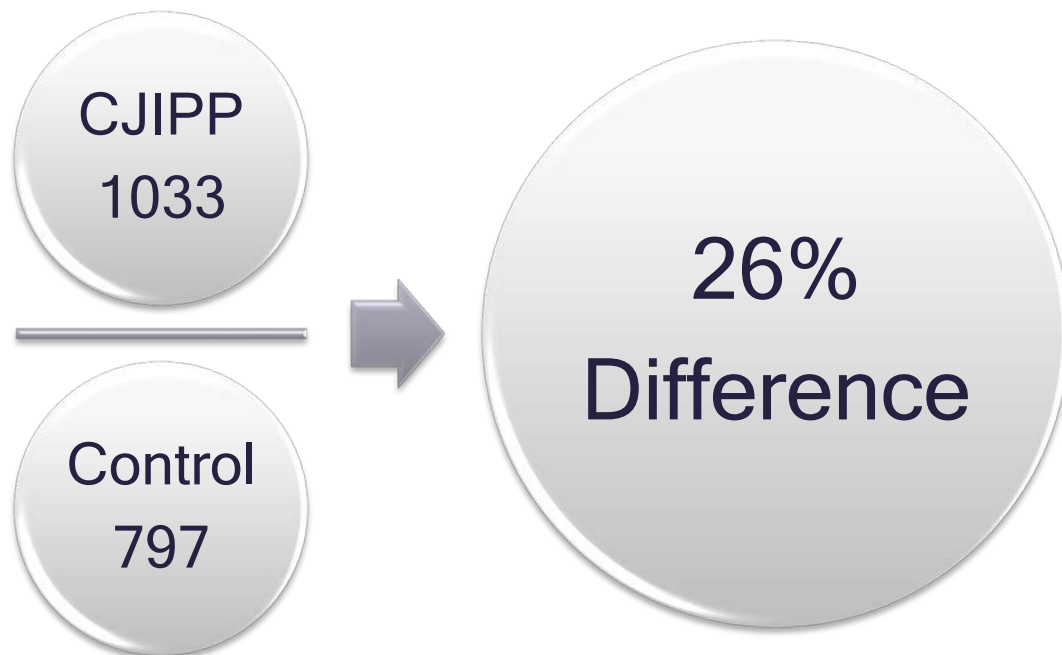
Data as of 7/16/2018

# PERFORMANCE MEASURES

## Closure Rate: Percent Difference

CJIPP	
Total Number of Cases Closed	4132
Average Number of Cases Closed	1033

CONTROL GROUP	
Total Number of Cases Closed	11951
Average Number of Cases Closed	797



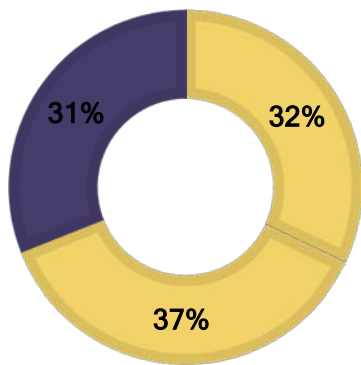
Percent difference is used to calculate the difference in percentage between two values. This metric compares two independent measurements to find out how much the measurements differ. Currently, there is a **26% percent difference** between the average number of cases closed in the CJIPP divisions and the average number of cases closed in the Control Group.

# PROJECT REVIEW

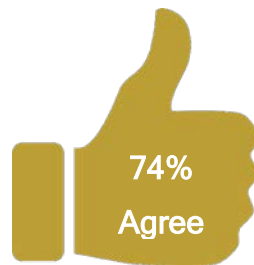
## Attorney Survey Results

### RESPONDENT CHARACTERISTICS

■ Mixed Practice ■ Plaintiff ■ Defense



Clear Expectation provided for meeting key deadlines



Deadlines were reasonable

### YEARS IN PRACTICE



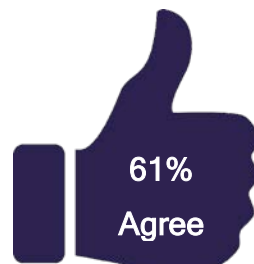
78%  
More than 10  
Years



13%  
6 to 10 Years



9%  
2 to 5 Years



Early Structure of Cases and Case Management Plan better approach



Court should control the pace of litigation

# PROJECT REVIEW

## Attorney Focus Group Results

<b>Expectations:</b>	<ul style="list-style-type: none"> <li>• Cases move faster</li> <li>• Streamlining of cases</li> <li>• Mandatory submission of dates and deadlines</li> <li>• Similar process to Federal Courts procedures</li> <li>• Heavy Case Management</li> </ul>
<b>Case Management Plan/Deadlines</b>	<ul style="list-style-type: none"> <li>• Help push attorneys to think about reaching settlement</li> <li>• Pushes case forward</li> <li>• Deadlines should be considered with input from all parties</li> <li>• Helpful to see dates</li> <li>• Helpful to keep track of cases</li> <li>• Allows for better planning</li> <li>• Makes attorneys organized, allows to schedule calendar to meet deadlines</li> <li>• Everyone on the same page</li> </ul>
<b>Case Management Conferences</b>	<ul style="list-style-type: none"> <li>• Leads to initial settlement discussions</li> <li>• If issues unresolved good to know issue will be addressed at conference</li> <li>• Motivating to see the judge</li> <li>• Earlier Conferences needed to review facts of case and to determine pathway</li> <li>• Encourage cases to keep moving forward</li> <li>• Discourages bad practices exercised when not scheduled before judge</li> <li>• Allows for issues to be resolved</li> <li>• Helps understand expectations</li> <li>• Cuts wasted time</li> </ul>
<b>Others:</b>	<ul style="list-style-type: none"> <li>• Attorneys might feel intimidated by program since it makes them change their business practices</li> <li>• High tenure attorneys may benefit from system that does not monitor cases closely</li> <li>• Doable for attorneys with larger portfolios</li> <li>• More calendars preferred for setting pending issues</li> <li>• Culture change, issue with making people change behavior and respect deadlines, etc.</li> <li>• If enforced uniformly and consistently, could take a few months to shift if not a year or two</li> <li>• Eventually culture/behavior will follow</li> <li>• Doesn't add cost to lawyers by imposing earlier deadlines: Same amount of work, just faster</li> </ul>