

Timeliness Measures for CDL Cases

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Timely justice is critical for all court case types, but additional considerations come into play when the defendant is a commercial driver. Courts protect public safety by making sure CDL cases are heard promptly. This video will highlight performance measures, used to assist courts in managing the efficient processing of CDL cases.

Commercial drivers can keep driving while their cases are being processed, so it's critical that the court efficiently dispose of these cases. Also, state driver license agencies are required to update driver records within 10 days of conviction, so courts need to do their part, and quickly send conviction data.

In the CDL Performance Measure workbook, the first four measures focus on timeliness and case management. We will walk through two of the measures, Time to Disposition and Time from Conviction to SDLA Data Transfer, highlighting how these measures can help courts be responsive to public safety requirements.

Time to Disposition is a widely known and often used CourTool. It measures the time from court filing to final disposition, focusing on court case processing. To calculate this measure, the date the case was filed is subtracted from the disposition date to get the total number of days to disposition. If there was any inactive time in the case or time outside the courts' control, like when a defendant absconds, that is subtracted from the total. The summarized results should include the average and midpoint (or median) number of days from filing to disposition. It is helpful to look at both of these data points since averages can be skewed by outlier cases. It is also helpful to break down the data by offense level: infraction, misdemeanor, and felony. As case complexity increases from infractions to felonies, it is expected that cases will take longer to process.

This table displays Time to Disposition data from a state working with NCSC. Looking at the median number of days to disposition is a quick way to orient to a court's performance. Here we see the expected pattern. Infractions are disposed in the fewest days, then Misdemeanors, then Felonies, which take much longer. When reviewing Time to Disposition data, it can also be helpful to break down the cases by result and type of disposition, not just offense level.

Does your court utilize an online hearing or plead and pay option? Are those cases disposed faster than cases resolved with traditional in-person hearings? Are Dismissed cases taking a surprisingly long time to dispose? Maybe traffic school or diversion cases are being captured with dismissed cases. Looking at the data through this lens may help reveal underlying inefficiencies or data and reporting issues that need further investigation.

Time to Disposition data can also be viewed as the percentage of cases disposed within certain timeframes. This table displays data from a state working with NCSC. Displaying data in this

way allows a court to compare its performance to benchmarks such as the model time standards or the Effective Criminal Case Management Project's (ECCM) time groups.

The model time standards suggest that almost all (or 98%) of cases should be resolved by the relevant benchmark: 90 days for infractions, 180 days for misdemeanors, and 365 days for felonies. However, these standards are only a guide, and were not developed for commercial driving cases. Courts are encouraged to think about what timeliness goals they would like to meet and what is realistic for these specific cases.

Another performance measure for CDL cases, is Time to Data Transfer. This measure helps courts monitor whether they are meeting their obligations of getting driver agencies the data they need to update records within the required 10 days.

To calculate this measure, the date the final charge on a case was disposed is subtracted from the date the conviction data was sent to the state driver license agency or SDLA. A best practice is an automatic data transfer from the court to SDLA at the time of disposition. When this process is in place, there is no delay in reporting and the time to data transfer is 0 days.

However, there are multiple reasons courts are not sending data right away. A court may not have the technology solutions needed, and conviction information is sent in the mail. Courts may batch data to send all results at the end of the week, rather than daily reporting. Courts may wait to see if a defendant successfully completes traffic school or probation before sending the conviction data.

These examples are problematic because they result in delays that often exceed the 10-day window. Driver license agencies then don't have enough time to update records within the federally mandated timeframe.

In California, the DMV and Courts are working together to address timeliness issues. The DMV created a quarterly letter to provide feedback to courts in monitoring their timeliness. In the letter, sent to individual court locations, the DMV shares the number of late convictions and provides a contact to help resolve the issues. So far, ten court locations have used this letter to explore the late cases and fix the underlying process.

State and Federal law place special conditions on courts when commercial drivers are involved. Using performance measures to gauge the timeliness of CDL cases is critical. Whether it is monitoring the court's internal process through Time to Disposition or looking at the interagency data exchange through Time to Data Transfer, using data to study the process will assist courts in fulfilling their role to keep highways safe.

This series of videos presents guidance on multiple strategies to assist courts in improving the processing of commercial driving cases. A transcript of this video is available on the commercial driving resource center website, along with a supplemental resource guide that provides references and more detailed material on the topics covered.