# Improving Court Data and IT Infrastructure to Address Backlogs and Support the Judiciary

## OFFICE OF COURT ADMINISTRATION (OCA)

### Key Takeaways:
- Texas courts continue to face historic backlogs exacerbated by the pandemic, and the state judiciary at every level is facing significant IT and staffing needs.

- Up front investments in data and IT infrastructure, funding text-based reminders for court appearances, and offering more support for backlog-related needs would not only alleviate current problems but set up the judiciary for long-term success.

### Background:
We have just enough data to know that the court backlog in Texas was greatly exacerbated by the pandemic. The impact of over 157,000 additional pending cases since March 2020 has delayed justice for litigants, families, and victims of crime, as well as for the tens of thousands of Texans in pretrial detention waiting for their day in court. Even as Article IV employees have seen the highest turnover rate in 5 years, judges and court staff have been adapting to new technology and a new, post-pandemic reality. The increased reliance on remote proceedings in appropriate settings would not have been possible without the IT, technical assistance, and staff support provided by OCA.

While the problems underlying the backlog are multifaceted, the Legislature has already identified technological solutions that can address specific issues. A prime example is legislation passed by the 87th Legislature directing OCA to establish a court reminder program that allows counties to send text message notifications to criminal defendants regarding scheduled court appearances. Fully funding this program can help thousands of Texans a year avoid getting a failure to appear on their record and spare the criminal legal system valuable time and resources in the process.

Historically, appellate court data management has been a challenge. A cyberattack in May 2020 targeting the legacy Texas Appellate Management and eFiling System (TAMES) disrupted the system higher courts rely on for weeks. Additionally, the data available from appellate courts are even more limited, where we only receive reporting for two case types – "civil" and "criminal" – disconnected from trial-level events and data.

### Proposed Action & Cost Estimate:

- Funding Text Reminders for Court Appearance
  - ≈ **$2,000,000** (FY2024-25) | In 2021, the Legislature passed HB 4293 (87-R), which directs OCA to establish a text-based reminder program for criminal defendants to reduce their failure to appear for court dates. Similar programs in other jurisdictions have dramatically improved appearance rates, reducing negative consequences for Texans and saving time and resources for the broader judicial system. While the Fiscal Note for HB 4293 initially only estimated a biennial cost of $121,852, subsequent analysis has shown that these systems are more costly.

- Replace Legacy Appellate IT System (OCA Exceptional Item)
  - **$11,942,000** (FY2024-25) | Funding to move from locally installed and managed servers to cloud-based case management systems; replacing external interfaces to systems that service the appellate attorneys, trial court clerks, and the public in general that want to review case documents at the appellate courts.

- Court IT Licensing (OCA Exceptional Item)
  - **$4,311,516** (FY2024-25) | Funding for direct IT services for state courts, including Windows, Adobe, cybersecurity tools, Zoom and other various software to ensure that our users operate efficiently and are secure.

# Improving Court Data and IT Infrastructure for the Judiciary

## COURT BACKLOGS IN FOCUS

To build a stronger foundation for the state judiciary, Texas needs to recognize that **the backlog pre-dated the pandemic**. One key metric for evaluating court backlogs is how old cases are at the point of disposition. In 2011, the *Model Time Standards for State Trial Courts* were adopted by the American Bar Association, Conference of Chief Justices, Conference of State Court Administrators, and The National Association for Court Management, among other groups. Ideally, no more than 2% of felony cases should be older than 365 by the time of disposition according to the Model Time Standards.

Since well before the pandemic, Texas courts have failed to meet those model standards. Prior to 2020, statewide criminal case dispositions regularly showed over 20% of cases were past the 365-day mark, and since the pandemic, 30% of all criminal dispositions are beyond the model standard.



Model Time Standards for Felony Cases



District Court Criminal Case Age at Disposition - 1/2016 to 8/2022
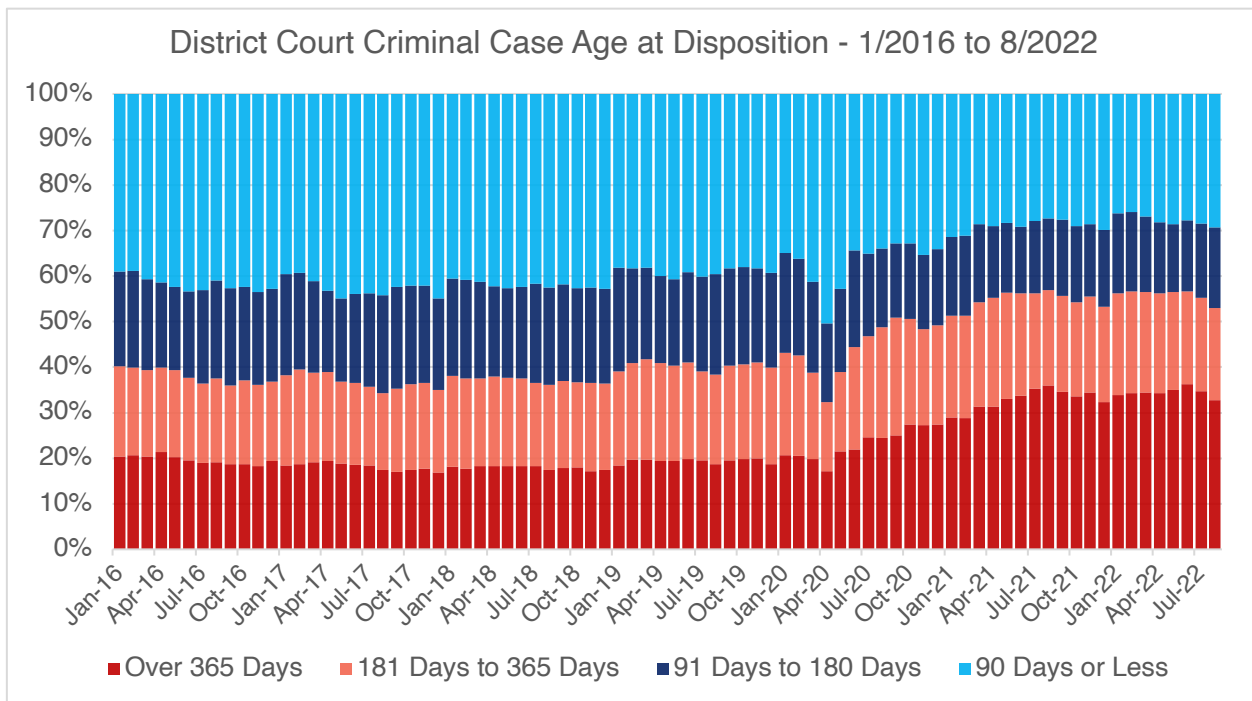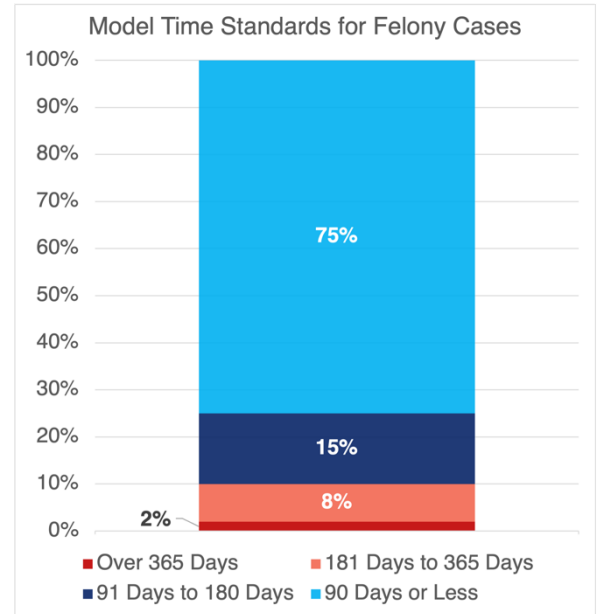
In addition to strongly considering augmenting the number of courts in our state, Texas needs to improve its judicial data infrastructure, innovative technology solutions, and its judicial workforce. These include **continued support for visiting judges, court reporters, and interpreters**, updating OCA's data system to **collect case-based statistical data from district and county courts**, continued state **support for remote-hearing technology**, and ensuring the **court reminder program is fully funded**.

For additional information, please contact:

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