



National Open Court Data Standards



How did Missouri's NODS initiative begin?

- Missouri Commission on Racial and Ethnic Fairness
- Missouri State University Study
 - Looking at outcomes based on diversity
 - How to measure outcomes in the court system

Criminal

- According to the report, Hispanic individuals often coded as “White”
 - Missing data common (.3% in St. Louis County, 21.9% in DeKalb County)
 - What accounts for the difference
-

Source: Racial and Ethnic Fairness in the Missouri Court System, p. 29, accessed at <https://www.courts.mo.gov/file.jsp?id=187656>

Supreme Court of Missouri Commission on Racial & Ethnic Fairness

Is racial bias a problem in Missouri courts?

Group	% yes
Overall	26%
Public defenders	70%
All other court actors	26%
Black & Hispanic respondents	62%
All other races	21%

<https://www.courts.mo.gov/file.jsp?id=187656&version=meter>

NODS in Missouri

Supreme Court's
Orders and Rules



SUPREME COURT OF MISSOURI **en banc**

October 3, 2023
Effective January 1, 2025

In re:

Adoption of subdivision 1.11, entitled "Data Standards," of Court Operating Rule 1, entitled "State Court Automation."

ORDER

1. It is ordered that, effective January 1, 2025, subdivision 1.11 of Court Operating Rule 1 be and the same is hereby adopted to read as follows:

COURT OPERATING
RULE 1

STATE COURT AUTOMATION

* * *

COURT OPERATING
Rule 1.11

DATA STANDARDS

Beginning January 1, 2025, data shall be collected consistent with the National Center for State Courts' National Open Court Data Standards, through the statewide court automation system, unless modified by order of this Court, whether on the Court's own initiative, a recommendation of a Court committee, or otherwise.

NODS in Missouri

Supreme Court's Orders and Rules



SUPREME COURT OF MISSOURI

en banc

October 3, 2023

Effective October 3, 2023

In re: Preparation for and implementation of data collection consistent with the National Center for State Courts' National Open Court Data Standards

ORDER

On October 3, 2023, this Court adopted Court Operating Rule 1.11, entitled "Data Standards." Effective January 1, 2025, Court Operating Rule 1.11 requires the collection of data consistent with the National Open Court Data Standards ("NODS") established by the National Center for State Courts ("NCSC").

Prior to Court Operating Rule 1.11's effective date, the Office of State Courts Administrator, in conjunction with the State Judicial Records Committee, the Missouri Court Automation Committee, and other relevant Court committees, shall work to prepare the statewide court automation management system for the collection of data elements in accordance with NODS. Such preparation shall include a review of the NODS data elements in order to determine the necessity of collecting each individual data element and the feasibility of doing so within the automated court management system.

NODS in Missouri

Supreme Court's Orders and Rules

Effective April 1, 2024, race and ethnicity data elements shall be created and

collected, if reasonably available, as follows:

<u>Data Element</u>	<u>Definition</u>	<u>Values</u>
Race and ethnicity	Party's identification with one or more social groups	American Indian or Alaska Native Asian Black or African American Hispanic/Latinx Native Hawaiian or other Pacific Islander White Other
Race and ethnicity source	The source or agency where the race and ethnicity data was collected	Court (direct inquiry) Driver's License Law enforcement Jail Corrections/Probation Prosecutor Petitioner Another state agency Unknown
Race and ethnicity self-identified or observed	An indicator for whether the race and ethnicity source relies upon self-identification by the party or an observation from someone else (e.g., law enforcement)	Self-identified Observed or perceived

The racial and ethnic categories shall be combined into a single data element, and individuals shall be permitted to choose all racial and ethnic categories with which they identify. Direct inquiry by the courts and self-identification by the individual is the preferred method of identifying the applicable racial or ethnic category, unless such

NODS in Missouri

Supreme Court's Orders and Rules

COURT OPERATING RULE 4.07.1

Filing Information Sheet
Courts Using an Automated Case
Management System Approved
for Statewide Use by the State
Judicial Records Committee
Filing Information Sheet

1) Courts shall require a filing information sheet for each civil, domestic relations, and probate case filed.

2) The filing information sheet shall reflect the case type and contain the following information for each party occupying the position of or on the same side as the plaintiff or defendant, each decedent, or each ward/protectee in the case:

- a) Party type;
- b) Party name;
- c) Date of birth if the party is a person;
- d) Social security number if the party is a person and such information is reasonably available; and
- e) Race/ethnicity and the source of such information if the party is a person and such information is reasonably available.

3) Responsibility for completing these sheets is with the parties, who shall make reasonable effort to provide full information.

4) Courts shall require the prosecuting or circuit attorney to file a filing information sheet for each criminal case filed. The filing information sheet shall contain defendant's name, address, date of birth, race/ethnicity


NODS in Missouri

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and the source of such information, and charges. If reasonably available, the filing information sheet may contain defendant's social security number, height, weight, gender, hair color, eye color, and other information as needed by the court.

5) The filing information sheets are confidential records. For domestic relations cases, the filing information sheet shall be placed under seal and filed with the domestic relations case file. For all other probate, civil and criminal cases, the filing information sheet shall be filed in case number sequence and stored separately from the case file or destroyed upon entry of the information. If a court is scanning court documents, the confidential filing may be scanned and maintained at the appropriate security level and the original may be destroyed.

6) Filing information sheets shall not be required when the filing is made electronically, provided required information on party type, party name, date of birth, social security number, and race/ethnicity and the source of such information is contained in the electronic submission.



Implementing the Supreme Court's Data Collection Orders

NODS in Missouri

Supreme Court's
Orders and Rules

Effective April 1, 2024, race and ethnicity data elements shall be created and collected, if reasonably available, as follows:



Who you gonna call...NCSC

Strategic Planning

Step 1: Identify Needs



What are most common data requests (internal or external)?

Requests Missouri courts can fill	Requests Missouri courts cannot fill

Possible goal: Identify most common data requests

Possible goal: Begin tracking data requests

Strategic Planning

Step 2: Strengths

What is working well
with data in Missouri?

Strategic Planning

Step 3: Identify Stakeholders

- ✓ Judicial Officers
- ✓ Missouri Highway Patrol
(criminal repository)
- ✓ SACWIS System (child welfare)
- ✓ Missouri Juvenile Justice
Information Sharing System
(MOJJIS)
- ✓ Clerks
- ✓ Juvenile Officers
- ✓ Treatment Court Administrators
- ✓ Prosecuting Attorneys
- ✓ Filers
- ✓ Researchers
- ✓ Court Administrators (local –
municipal clerks)

Strategic Planning

Step 4: Priorities

What are the priorities for Missouri?

Work in table group by tab

civ	fam	prob	dep	juv	crim	traf	#	Data Element	Definition	Values	Data Assessment
					x	x	10	Deferral	Date case deferred		Continued? If so, we have a motion for continuance docket code.
					x	x	11	Summons Issued	Date the initial summons was issued, if the defendant was not arrested and taken into custody	Date	SICRS, SIMUN, SIPAC, SIPCC, SIRCM, SISHC docket codes filing dates
					x		12	Grand Jury Indictment	The grand jury issued an indictment, for those jurisdictions where a grand jury is used to determine whether there is enough evidence.	Y/N	AGRJI Docket Code
				x			13	Referral Date	Date the referral was submitted.	Date	referral date
							14	Referral Source Type	The type of agency or person that referred the incident.	police prosecutors parents school (including SRO) health officials other	We track this- referral source juvenile reports
				x			15	Referral Source Detail	The specific agency or person that referred the incident to court.	text	We track this- referral source juvenile reports
				x			16	Intake Decision Date	Date the intake decision was made.	Date	Referral Dispo Date
							17	Intake Decision	Decision of how to proceed with the case after intake assessment.	Dismissed (lack of legal sufficiency) Referral to another agency Counseled and released Non-petitioned supervision Petitioned to juvenile court Petitioned for transfer to criminal court.	Referral disposition
				x			18	Living Arrangement	Living arrangement of the youth at intake.	Both parents one parent one parent with other adult(s) kinship care foster family out-of-home placement independent	I don't think we track where they were living when taken into custody. This is probably put in the petition and is not easily extracted

Strategic Planning

Step 5: Set Goals

Specific



Measurable



Achievable



Relevant



Time-bound/Trackable

Strategic Planning

Step 6: Risks

What are potential risks?

Are the financial, human, and technical resources available?

How can risks be mitigated?

Strategic Planning

Step 7: Communication

To whom?

When?

How often?

Strategic Planning

Step 8: Action Plan

What's next?



National Open Court Data Standards

www.ncsc.org/nods

What is NODS?

Standards		Scope
The rules by which data are described & recorded		Data maintained by courts for business purposes
Voluntary	Aspirational	Separable

What is NODS?

Common data standards for state courts

Covers seven major case types

- Criminal
- Civil
- Family/domestic relations
- Juvenile delinquency
- Dependency
- Probate
- Traffic

What is NODS?

378 data elements cover major areas

- Case
- Participants
- Attorneys & Advocates
- Status
- Pleadings
- Motions & Filings
- Hearing & Events
- Orders
- Charges
- Pretrial-Intake
- Diversion
- Civil Judgment
- Sanctions
- Dependency Permanency
- Probate Review & Monitor
- Post-Trial
- ADR

Purposes of NODS

- To make case-level state court data available to researchers, policymakers, the media, and the public to provide transparency in court operations and to improve public policy;
- To make data available for public and court system use in a consistent manner that reduces the possibility of error and misinterpretation; and
- To reduce the burden on court system staff in responding to data requests.

What is NODS Not?

- A requirement to change your CMS.
- A requirement to adopt every NODS data element or any set of data elements.
- A requirement to provide data to any requester, in whole or part.
- A complete list of every data element a court should collect (such as criminal history).

For most courts, NODS is a mapping exercise!

What are promising practices?

- Cover Sheets
- Cover Sheets with a court rule
- Include in e-filing
- Kiosks
- Importing data from another agency
- Transparency on how data will be used

The background features a large, faint, circular seal of the Virginia Center for State Courts. The seal has a sunburst border and contains a central tree. Text within the seal includes "Virginia Center for State Courts" around the top, "1971" at the bottom, and the Latin motto "NULLI VENDEMUS NULLI NEGABIMUS" with "IUSTITIAM" below it.

NODS & Missouri Data

Work Group Assignments

August 23, 2024



National Open Court
Data Standards
www.ncsc.org/nods

Family & Civil	Juvenile & Dependency	Criminal & Traffic
Judge Bates	Judge Vandeloecht	Judge Garrett
Beth Billington	Dan Sharp	Tom Kloepfinger
Stephanie White-Thorn	Ben Burkemper	Judge Powell
	Rick Morrisey	Pat Brooks
Sherri Paschal	Kathy Lloyd	Justin Carver
Mark Ritchey		Betsy Ledgerwood
Eric Jennings		

Group Work



National Open Court
Data Standards
www.ncsc.org/nods

Big picture questions

- What are the policy questions?
- What data is needed to answer those questions?

Task

- Focus on yellow, then red, then green
- If a priority, write a one sentence user story for each element that is high priority
I'm a [clerk/judge/analyst] and I need [data element] for [purpose]
- If not a priority, write a one sentence reason why
In civil cases, the default rate among defendants is so high that we cannot meaningfully collect race.
- Determine what needs to be referred to focus groups or technical team
 - Write the charge
- What needs to go to the Supreme Court?

National Open Court Data Standards

November 4, 2024

Areas for Focus

- Filing Sheets
- Low Hanging Fruit
 - Interpreter flag
- Compliance with Rules and Statutes
 - Check before recommending changes
 - Are there rules that may need reviewed for recommended changes?
- Communication
 - What is changing?
 - What are the implications



Confidential Case Filing Information Sheet – Criminal

Filing Date: _____ County/City of St. Louis: _____

STV.

Defendant Information:

Name: (Last) _____ (First) _____ (Middle) _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Contact Telephone Number: _____

Email Address: _____

Date of Birth: _____ SSN: (Required) _____

Gender: Male Female Height: _____ Weight: _____

Hair: (Select one) Blond Black Blue Brown Green Grey Orange
 Pink Purple Red Sandy Unknown or Completely Bald White

Eyes: (Select one) Black Blue Brown Dichromatic Green Grey
 Hazel Multicolored Maroon Pink Unknown

Race: (Select one or more) American Indian or Alaska Native Asian
 Black or African American Native Hawaiian or other Pacific Islander White
 Other Unknown

Ethnicity: Hispanic or Latinx

Race & Ethnicity Source: (Select one) Prosecutor Court Law Enforcement Jail
 Department of Corrections/Probation and Parole Another State Agency
 Driver's License Unknown

Race & Ethnicity is self-identified observed/perceived. (Select one)

Criminal Cover Sheet

Criminal Cover Sheet

Race: (Select one or more) American Indian or Alaska Native Asian
 Black or African American Native Hawaiian or other Pacific Islander White
 Other Unknown

Ethnicity: Hispanic or Latinx

- Asking for race and ethnicity
 - One element or two?
 - Latinx vs. Latino vs. Latine

Criminal Cover Sheet

Gender or sex?

Date of Birth: _____ SSN: (Required) _____

Gender: Male Female Height: _____ Weight: _____

User Story

As a judge, I want to know if more men or women are subject to guardianship petitions.

Or

As a judge, I want to know if there are disparities in criminal sentencing between men and women with similar charges and criminal histories.

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Sex/Gender

- Recommended using term sex, which is term used in census data
- Recommendation approved by State Judicial Records Committee (SJRC)
- Changes have been made to forms/system

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Criminal Cover Sheet-Race/Ethnicity

- Recommended including the categories used in census data
 - Changed Latinx to Latino and will display as Hispanic/Latino
 - Added Middle Eastern/North African and will display as MENA

*National Open Court
Data Standards*

November 4, 2024

Domestic Relations Cover Sheet

Demographics on Children

- Direct filers to attach an additional sheet if parties exceed number available on the form
- Racial/Ethnic data will only be collected on parties, so children's data will only be collected if they are a party

Criminal
Cover
Sheet
Revised
eFiling
Aligned

Date of Birth: _____ SSN: (Required) _____

Sex: Male Female Height: _____ Weight: _____

Hair: (Select one) Blond Black Blue Brown Green Grey Orange
 Pink Purple Red Sandy Unknown or Completely Bald White

Eyes: (Select one) Black Blue Brown Dichromatic Green Grey
 Hazel Multicolored Maroon Pink Unknown

Race and Ethnicity: (Select one or more) American Indian or Alaska Native Asian
 Black or African American Native Hawaiian or other Pacific Islander White
 Hispanic or Latino Middle Eastern or North African (MENA) Other Unknown

Race & Ethnicity Source: (Select one) Prosecutor Court Law Enforcement Jail
 Department of Corrections/Probation and Parole Another State Agency
 Driver's License Unknown

Race & Ethnicity is self-identified observed/perceived. (Select one)

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Other Issues Discussed

- ICWA - Needs a docket code; refer to State Judicial Records Committee
- Interpreter/ADA Flag - Tied to a party and case; refer to Change Management Oversight Team (CMOT)
- Party Type
 - Should we add a party type for Legal Aid - so we identify and track?
 - Should there be a party type for child representative as well as GAL?
 - Refer to CMOT

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Other Issues Discussed

- Entity Type - Currently Options are Individual or Company
- Do we need to create a party/entity type for law enforcement?
- Suggestion to add a check box on the filing sheet to indicate type of suit
- Refer to CMOT for feasibility, then to SJRC

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Other Issues Discussed

- Pre-Trial Release
 - Review current data collected -
What codes do we have and
what is needed?

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Other Issues Discussed

- Homeless Status
 - Value in collecting this data - how would it be used?
 - How could it be collected and updated?
 - Should homeless be added as an address type?
 - Refer to CMOT

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Data Standards*

November 4, 2024

Approved Statewide Flags

- Indian Child Welfare Act
- Americans with Disabilities Act
- Dually Adjudicated Youth
- Interpreter

Data Quality

Circuit	# multiple race		Circuit	# multiple race	
	initially	recently		initially	recently
1	2	6	24	5	29
2	5	13	25	23	126
3	2	4	26	13	83
4	2	6	27	2	30
5	16	97	28	2	10
6	9	38	29	49	277
7	53	309	30	8	27
8	1	5	31	29	232
9	1	29	32	12	44
10	2	8	33	3	16
11	41	172	34	0	8
12	27	69	35	6	48
13	23	87	36	4	10
14	1	4	37	7	27
15	7	41	38	2	16
16	95	566	39	27	126
17	60	224	40	18	104
18	11	46	41	3	7
19	3	11	42	9	34
20	6	39	43	1	7
21	66	384	44	1	13
22	8	42	45	2	36
23	10	52	46	17	63
			total	694	3625

Challenges





Other States' NODS Implementation

Required Data Elements and Code Standardization



The Arizona Required Data Elements Initiative seeks to ensure the quality, completeness, and consistency of Arizona court data across the judicial branch by ensuring that courts' case management systems contain specific data elements collecting consistent data. [ACJA § 1-508](#) guides this initiative, which was developed in response to the National Center for State Courts promoting the National Open Court Data Standards (NODS) as best practice for courts. There are approximately 250 required data elements across 7 case types, for both general and limited jurisdiction courts. The [Steering Committee on Data-Based Court Performance and Data Standards](#) sponsors this initiative and the [Data Standardization Advisory Committee](#), with representatives from all case management systems, meets monthly to define and approve statewide standard codes. Courts are required to complete yearly checklists documenting their implementation during each phase of the initiative.

How other states are implementing NODS

Arizona



Resources



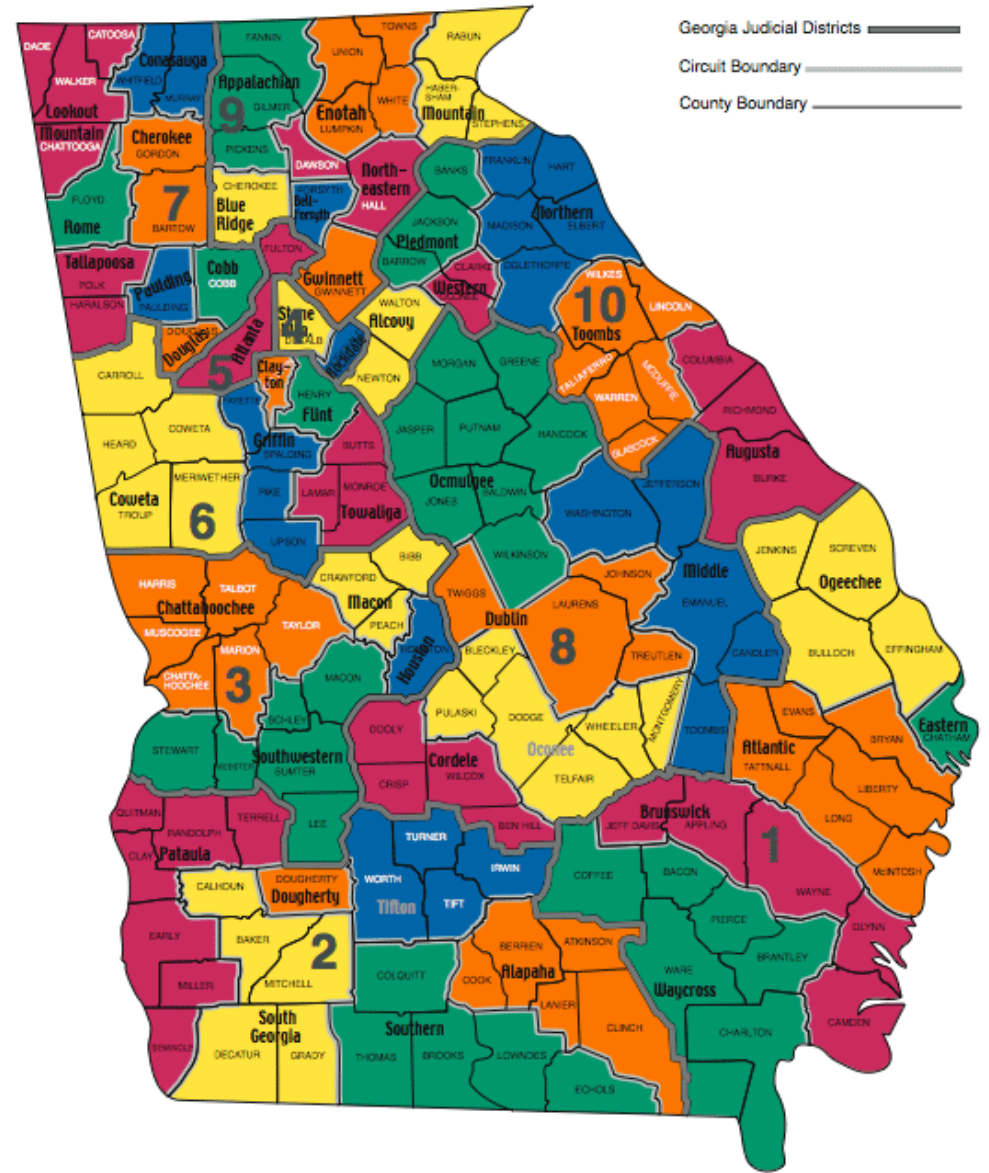
Checklists



Code Standardization

How other states are implementing NODS

Georgia
159 counties
50 Judicial Circuits
10 Judicial Districts
>400 independent courts

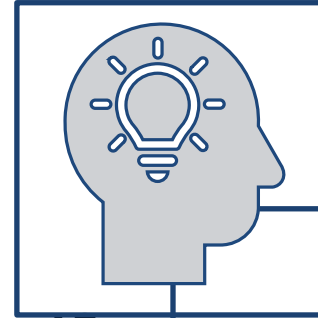


How other states are implementing NODS - Illinois



Challenges

- 102 Counties, 14+ Case Management Systems, Multiple Program areas
- High Costs of Integration
- Lack of Uniformity
- Required Data Not Collected
- Court Partner Buy-In



Opportunities

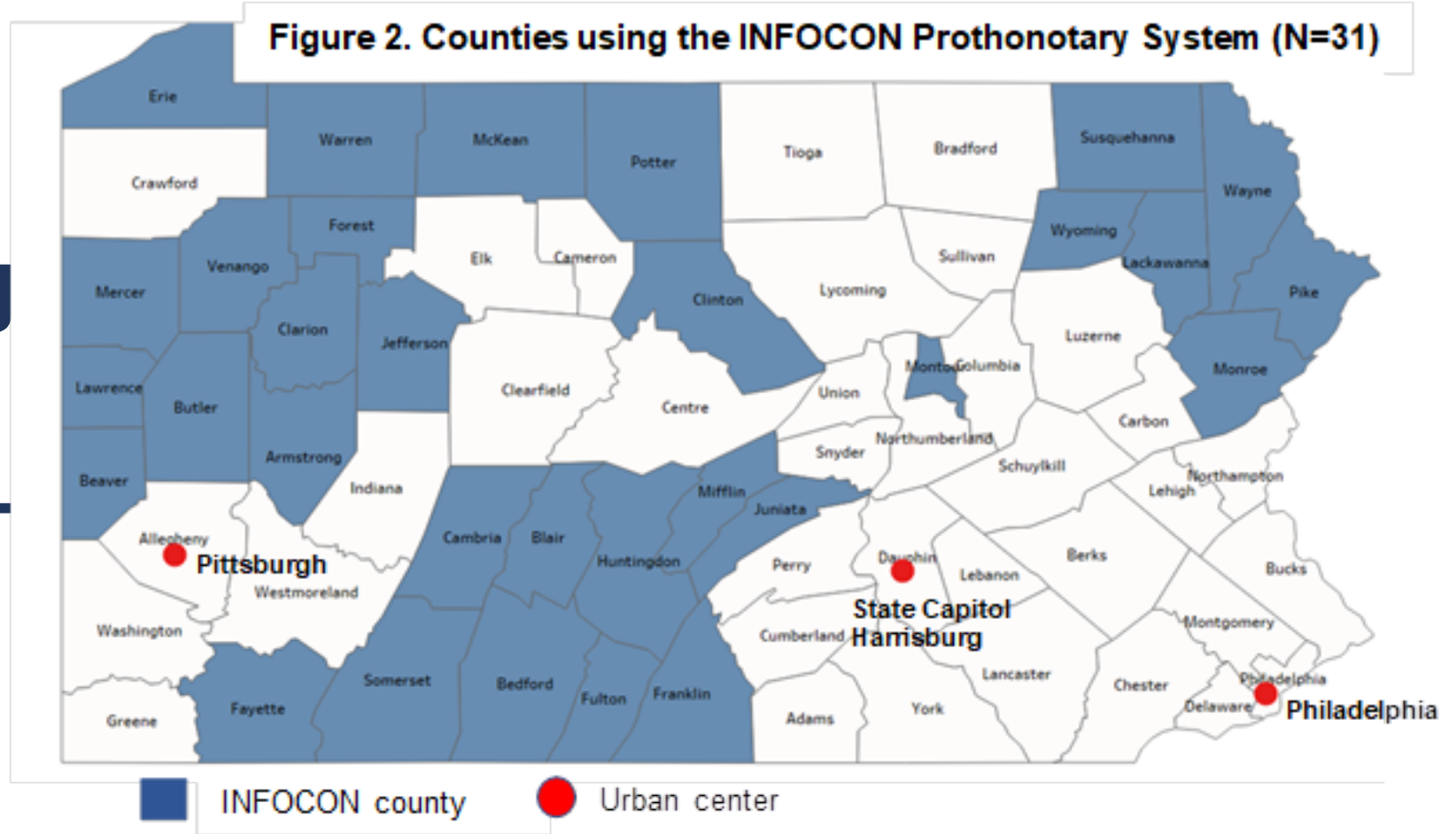
- Single API
- Grant Funding Incentive
- Focus on Priority Elements
- Development of Standard Forms and Orders
- Prioritizing Local Court Access, Engaging Justices as Champions

Case Category Mapping – MDEC to NODS

MDEC	Statistical Abstract	CSP	NODS
Criminal	Criminal	Criminal	Criminal
		Traffic, Parking & Local Ordinance	Traffic & Local Ordinance
Civil	Civil-General	Civil	Civil
Family	Civil-Family	Domestic Relations	Family
	Juvenile	Juvenile	Juvenile
Probate/Mental Health			Dependency
			Probate

How other states are implementing NODS

- Pennsylvania



How other states are implementing NODS

- Puerto Rico

Problem identified: clerks in some regions were classifying withdrawn protection orders as denied.

Using NODS' DV Recommended Data Elements in launch its new e-filing platform this year.

