

## Appendix B: State and County Court Data Expert Interview Script

### Semi-structured Interview Guide

1. Do you have any questions before we begin?

2. Could you please confirm that \_\_\_\_\_ court has jurisdiction over civil cases?

a. Do multiple courts have jurisdiction over civil cases? If so, please explain.

3. Are you able to extract electronic data from your court/the courts in your state? (follow-up questions are for Administrative Office of the Courts (AOC) respondents only)

a. From courts of general jurisdiction?

(Record open-ended answer)

b. From courts of limited jurisdiction?

(Record open-ended answer)

4. [For state AOC's] Are there courts in your state that cannot provide information about civil cases?

a. Why?

(Record open-ended answer)

5. What case identifiers does your court/state have for civil cases? In other words, can you tell whether a case is a domestic violence protection order case or a debt collection case from the case number or the case identifier? (Record open-ended answer)

6. Are you able to identify the following civil case types in your data management system?

a. Domestic violence protection orders?

b. Other civil restraining orders?

c. Involuntary civil commitments?

d. Evictions?

e. Debt collection cases?

f. Guardianship cases?

g. Child support enforcement cases?

h. Tort

i. Contract

j. Real property

7. (For county AOC's): In what court are the following case types heard in your county?

a. Domestic violence protection orders?

b. Other civil restraining orders?

c. Involuntary civil commitments?

d. Evictions?

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- e. Debt collection cases?
- f. Guardianship cases?
- g. Child support enforcement cases?
- h. Tort
- i. Contract
- j. Real property

**8. [For state AOC's-state specific questions] Can we confirm how civil cases are divided between the types of courts in your state? (Record open-ended answer)**

- a. **MI AOC: The common types of civil cases in Michigan include small claims, landlord-tenant, land contract forfeiture, civil infraction (both traffic and nontraffic), and civil damage actions.**
  - i. How does your data management system identify the type of civil case?
  - ii. Can we confirm the following information from your website:
    - 1. District court handles cases for civil claims of \$25,000 or less
      - a. Small claims division of district court handles claims of \$6,500 or less
    - 2. Circuit court handles cases of \$25,000 or more
    - 3. Probate court handles trusts, estates, guardianships and conservatorships.
  - iii. Where are the following cases heard?
    - 1. Domestic violence protective orders?
    - 2. Other civil protective orders?
    - 3. Landlord-tenant disputes?
    - 4. Evictions?
    - 5. Child support enforcement cases?
    - 6. Involuntary civil commitments
    - 7. Real property
- b. **NH AOC: The definition of civil cases in New Hampshire includes tort, contract, real property, small claim and other.**
  - i. How does your system identify the type of civil case? (Tort, Contract, Real Property, Small Claim and Other)
  - ii. Can we confirm the following information from your website?
    - 1. Probate courts hear involuntary commitments, in addition to termination of parental rights, guardianship, wills, and other case types that would not fall under BJS's ability to collect. Are there any other case types heard there?
    - 2. District division hears landlord & tenant matters, civil matters, and small business claims involving less than \$10,000, and stalking cases. Any others?
    - 3. Superior courts hear negligence, contracts, real property rights and other civil matters with a minimum claim of \$1,500 in damages in which either party requests a trial by jury. The Superior Court has exclusive

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jurisdiction over cases in which the damage claims exceed \$25,000. Any other case types?

- a. What types of civil cases do circuit courts hear?
- iii. Where are the following cases heard?
  1. Domestic violence protective orders?
  2. Other civil protective orders?
  3. Evictions?
  4. Child support enforcement cases?
  5. Involuntary civil commitments
  6. Debt collections (if different than the monetary limits listed above)
  7. Real property

**9. If we were to collect civil data from your site, what person or office should I contact at \_\_\_\_\_ regarding the specifics of the available civil case data?**

- a. What is their contact information?
- b. Do you know if there are any request forms?
  - i. Where are the request forms located? Online?
- c. Are there any immediate challenges that come to mind with your site providing case-level civil data to BJS?

**10. Do you know if there are any reports produced from the civil data being collected? (Look up to see if any reports. If none found, ask the question. If found, drop the question.)**

- a. If so, could we access them?

11. I'd like to read you some data elements that we are interested in collecting. I will read you the list and provide it on the screen (or this instrument was provided in advance via email if interview conducted by telephone). We would like to know if your case management system captures the data element and <u>whether you would be able to extract or report the data element:</u>	Yes	No
a. Do you track/can you extract the court case number?		
b. Do you track/can you extract the types of plaintiff and defendant in the case (for example, individual v. individual, individual v. business, business v. business, and business v. individual)?		
i. For individual plaintiffs and defendants, do you document residential address?		
c. How do you track case type? Is it in the case number or is there a separate case type indicator?		
i. Can you provide a list of the civil case types that are tracked by your courts? (Record types or request written list, whichever respondent prefers)		
d. Do you track/can you extract the initial filing date?		

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e. Do you track/can you extract the filing petition, cause of action or complaint?		
f. Do you track whether the defendant was represented?		
g. Counsel or no counsel?		
h. Private attorney or pro bono/legal aid? i. Do you track/can you extract whether either party requested a filing fee waiver?		
i. Do you track/can you extract whether the filing fee waiver was granted or denied?		
<b>12. Can you extract if an answer was filed?</b>	<b>Yes</b>	<b>No</b>
i. Tort		
ii. Contract		
iii. Small claim		
iv. Real property		
v. Child support enforcement cases		
vi. Civil protection or restraining orders (excluding domestic violence)		
vii. Debt collection cases		
viii. Domestic violence protection orders		
ix. Evictions		
x. Guardianship of vulnerable person cases		
xi. Involuntary civil commitments		
<b>13. Can you extract the date the answer was filed? (we want to get the date the court was supposed to do something)</b>	<b>Yes</b>	<b>No</b>
i. Tort		
ii. Contract		
iii. Small claim		
iv. Real property		
v. Child support enforcement cases		
vi. Civil protection or restraining orders (excluding domestic violence)		
vii. Debt collection cases		
viii. Domestic violence protection orders		
ix. Evictions		
x. Guardianship of vulnerable person cases		
xi. Involuntary civil commitments		
<b>14. Is there a fee for a defendant to respond to/answer a filing?</b>	<b>Yes</b>	<b>No</b>
i. Tort		
ii. Contract		
iii. Small claim		
iv. Real property		
v. Child support enforcement cases		
vi. Civil protection or restraining orders (excluding domestic violence)		
vii. Debt collection cases		

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viii. Domestic violence protection orders		
ix. Evictions		
x. Guardianship of vulnerable person cases		
xi. Involuntary civil commitments		
<b>15. Is there a requirement to appear? (follow up with case types of interest)</b>	<b>Yes</b>	<b>No</b>
i. Tort		
ii. Contract		
iii. Small claim		
iv. Real property		
v. Child support enforcement cases		
vi. Civil protection or restraining orders (excluding domestic violence)		
vii. Debt collection cases		
viii. Domestic violence protection orders		
ix. Evictions		
x. Guardianship of vulnerable person cases		
xi. Involuntary civil commitments		
<b>16. Is there a requirement for an answer to be filed in any of the cases?</b>	<b>Yes</b>	<b>No</b>
i. Tort		
ii. Contract		
iii. Small claim		
iv. Real property		
v. Child support enforcement cases		
vi. Civil protection or restraining orders (excluding domestic violence)		
vii. Debt collection cases		
viii. Domestic violence protection orders		
ix. Evictions		
x. Guardianship of vulnerable person cases		
xi. Involuntary civil commitments		
<b>17. Do you track/can you extract whether the case went to mediation or dispute resolution?</b>	<b>Yes</b>	<b>No</b>
<b>a. Do you track/can you extract at what point in the case mediation was ordered/completed?</b>		
<b>b. Do you track/can you extract the type of dispute resolution (for example, online, arbitration, mediation, settlement conferences)</b>		
i. Do you track/can you extract the result of the dispute resolution (for example, settled in whole, settled in part, no settlement, not held/ordered but failed to appear)		
ii. Do you track/can you extract whether mediation was sought prior to case filing?		
<b>18. Do you track/can you extract overall Manner of Disposition?</b>	<b>Yes</b>	<b>No</b>
<b>a. Jury Trial</b>		
i. Judgement for / Judgement against		

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<b>b. Bench Trial</b>		
i. Judgement for / Judgement against		
<b>d. Non-trial</b>		
i. Settlement		
ii. Default		
iii. Dismissal		
iv. Transfer to another court or jurisdiction		
<b>i. Other types of disposition?</b>		
<b>19. Do you track/can you extract more detailed information about disposition, such as summary judgment, withdrawal by one or both parties, consolidation with another case?</b>	<b>Yes</b>	<b>No</b>
a. Can you provide a list of the more detailed dispositions (record or ask for written list, whichever is preferred by respondent)?		
<b>20. Do you track/can you extract the final disposition date?</b>	<b>Yes</b>	<b>No</b>
<b>21. Do you track/can you extract the final judgment date (if it is different from the disposition date)?</b>	<b>Yes</b>	<b>No</b>
<b>22. Do you track/can you extract requests for damages?</b>	<b>Yes</b>	<b>No</b>
a. Judgement for/against?		
b. Monetary damages amount sought?		
c. Monetary damages amount awarded?		
i. Whether the monetary damages were compensatory or punitive?		
ii. For debt collection cases, Do you track whether the debt was satisfied?		
d. Court costs and fees awarded?		
e. Attorney's fees awarded?		
f. Non-monetary relief awarded?		
<b>23. Do you track/can you extract whether an appeal was filed?</b>	<b>Yes</b>	<b>No</b>
a. Date appeal was filed?		
b. Who filed the appeal?		
c. Result of the appeal?		
i. (If no,) Would the result be tracked in the same court, or in the appellate court?		
ii. Would you be able to link the initial case and the appeals case? How?		

**24. Are you able provide codebooks or descriptions of any existing data extract(s) at this time?**

    a. Are you working with any external data partners?

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(Record open-ended answer)

**25. Do you have any questions for me, about the Civil Justice in State Courts study, or about the feasibility project in general?**

(Record open-ended answer)

**26. Thank you so much for your time. May we contact you if we have any follow-up questions? Do you prefer phone or email?**

(Record open-ended answer)

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