Family Justice

Recommended Data Elements

National Open Court Data Standards
(NODS)

www.ncsc.org/nods

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Recommended Family Court Data Elements

For courts to proactively manage individual family court (or domestic relations) cases and their caseloads as a whole, it is necessary to identify, collect, and use data effectively. This guide is intended to help courts identify the data needed and to provide data standards for family justice cases.

Family cases can present a challenge for data collection, due to the need to connect related cases, the presence of multiple issues, and the frequent reopening of cases based on changing family dynamics and circumstances. Further, family structure evolves over time, posing a need for evaluation and adaptation to data collection in the courts. Data shortcomings, as well as trends in handling domestic relations cases are documented in *The Landscape of Domestic Relations Cases in State Courts* (2017).

Principles of Data Collection

The Family Justice Initiative identifies data collection as one of four central goals in the [Principles for Family Justice Reform](#).

Principle 11 of the Family Justice Initiative, "improve ongoing data collection, analysis, and use of data to inform case management" provides a guide for courts on key data issues. Some key factors to keep in mind while using the data elements in this report are listed below.

11.1 Baseline domestic relations caseload assessments and ongoing monitoring should be tailored to reflect the unique aspects of domestic relations cases and domestic relations case management.

11.2 Court data elements should be precisely defined to ensure clarity in data collection and analysis and to facilitate data standardization across courts.

11.3 Courts should follow proven practices with respect to the use of common data definitions, routine counting of cases with one or more self-represented parties and recording outcomes to enable the development and ongoing improvement of evidence-based practices.

11.4 Courts should regularly make caseload assessments available to the public.

Family cases are among the most complex. They involve interpersonal conflict, the well-being of children and may involve intimate partner violence, substance use disorder, mental health or other challenges. To support families and manage cases

effectively, a number of courts across the country have implemented triage approaches to identify risk, complexity, and conflict present in cases. Effective triage also helps courts to apportion case management, time and resources accordingly. In order to assist with triaging family cases and enable courts to analyze the impacts of family innovations, courts need to collect and use key data elements. These will be highlighted throughout the document. See also the table "Key Data Elements for Triage" at the end of this document.

Using this Report

The Court Statistics Project (CSP)[1] and National Open Court Data Standards (NODS)[2] provide frameworks for data collection, with the goal of presenting a national picture (CSP) or working to standardize information to be able to promote data exchanges for research (NODS). This report is a complement to these other efforts and uses NODS framework and recommended data elements as a starting point. The report is divided into sections that align with the NODS organizational structure. Each section describes relevant data elements, providing additional context for family justice cases.

Not every data element from NODS is included in this report. Priority is given to those elements that are specific to family justice cases and need more context or explanation on the "how and why" for collection. Additional elements that are out of scope for NODS but nonetheless important for family justice cases are included in this report.

For easy reference, each section is labeled with the NODS tab number. Additionally, NODS data elements are in **bold**. Sample values from the NODS data elements spreadsheet are *italicized*. Elements out of scope for NODS but in this guide for case-level monitoring at the local court level are denoted with an asterisk (*).

This report does not outline every data element necessary for case management. Instead, the list aims to provide a guide for what data should be collected and initiate the conversation of what information is needed to answer policy and monitoring questions. The list is informed by past research, and by NCSC engagement with state and local courts about current, promising, and best practices. However, it may not cover all needs for a court or state. This report should be viewed as a living document. Recommendations will change, especially as courts incorporate technology solutions more fully.

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[1] www.courtstatistics.org
[2] www.ncsc.org/nods

Tab 1: Case Information

Family Case Types

Family case types are categorized to describe critical information about each case. The case type should be reported in the initial filing. Family case types can be complex, as many cases may include numerous actions of different types. For instance, cases that involve a dissolution/divorce of a marriage often include provisions for custody, support, alimony, and more. The case should be categorized as to the primary reason for the case. The priority is according to the order table below. See Table 1c below for an example.

For additional information on how to classify this data, see The State Court Guide to Statistical Reporting.

Table 1a: Family Case Types

Family Case Type	Definition/Notes
Dissolution/Divorce	Case establishing a divorce or dissolution of a marriage or civil union. These cases often include provisions for custody, support, alimony, and the like in the decree or judgment. In reporting cases, the initial filing and disposition of a dissolution/divorce should be classified as a dissolution/divorce, even if other components are present in the judgment.
Legal Separation	Case establishing the separation of a couple, without a dissolution of the marriage.
Annulment	Case establishing a marriage as retroactively null and void.
Parentage	Case establishing the identity and/or responsibilities of a parent of a minor child
Child Custody	Cases where an individual requests that a court decide the control or care of a child. This may be known as "legal decision-making."
Child Support	Case filed to request maintenance of a minor child by a person who is required, by law, to provide such maintenance.
Child Support Enforcement IV-D	Case filed to request maintenance of a minor child by a person who is required under Title IV-D of the Social Security Act of 1973, to provide such maintenance.

Child Support Enforcement Private	Case filed to request maintenance of a minor child by a person who is required by law, but who is not under auspices of Title IV-D of the Social Security Act of 1973, to provide such maintenance. *Note: Labeling a child support enforcement as private (non IV-D) distinguishes cases that are brought by private parties outside the framework of Title IV-D, to allow records and analysis of caseload qualification for financial support from the federal government through the state IV-D agency.*
Emancipation	Case filed seeking independence of a minor child.[3]
Spousal Support/Alimony	Cased filed to request maintenance of a party/spouse by a person who is required by law to provide such maintenance.
Visitation	Case filed by an individual to request the court to schedule the time the individual will spend with minor children. Such requests can be made by parents, grandparents, or other family members. This may also be known as "parenting time."
Termination of Parental Rights	Case requesting the severing of the parent-child relationship.[4]
Adoption	Case involving a request for the establishment of new, permanent relationship of a parent and child between persons not biologically related.[5]
Domestic Protection/ Restraining Order	Case involving a request to issue a protection or restraining order designed to limit or eliminate the contact between two or more individuals in a domestic relationship.
Immigration	Case involving Special Immigrant Juvenile Status
Judicial Bypass	Case requesting a court order in lieu of parental permission
Surrogacy	Cases involving a contract or agreement between individuals regarding non-biological parentage.
Domestic Relations-Other	Cases involving actions between family members, or other forms of domestic relationships, of unknown specificity, non-attributable to other categories, or as all single case types in domestic relations cases.

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[3] In some jurisdictions, emancipation may be part of a juvenile or probate docket

[4] In some jurisdictions, TPR petitions may be part of a juvenile docket

[5] In some jurisdictions, adoptions may be part of a juvenile or probate docket

Note that in domestic cases, it is not unusual to have a case filed as a "foreign judgment" case. These are cases decided in another jurisdiction but filed with the local court for purposes of enforcement.

Associated Legal Issue

Because family justice cases often include more than a single legal issue, associated issues should also be captured. This can help with case triage and with evaluation of case management.

Table 1b: Associated Legal Issue

Associated Legal Issue	Definition/Notes
Parentage	Case establishing the identity and/or responsibilities of a parent of a minor child
Child Custody	Cases where an individual requests that a court decide the control or care of a child
Child Support	Case filed to request maintenance of a minor child by a person who is required, by law, to provide such maintenance.
Child Support Enforcement IV-D	Case filed to request maintenance of a minor child by a person who is required under Title IV-D of the Social Security Act of 1973, to provide such maintenance.
Child Support Enforcement Private	Case filed to request maintenance of a minor child by a person who is required by law, but who is not under auspices of Title IV-D of the Social Security Act of 1973, to provide such maintenance. *Note: Labeling a child support enforcement as private (non IV-D) distinguishes cases that are brought by private parties outside the framework of Title IV-D, to allow records and analysis of caseload qualification for financial support from the federal government through the state IV-D agency.
Spousal Support/Alimony	Cased filed to request maintenance of a party/spouse by a person who is required by law to provide such maintenance.
Visitation	Case filed by an individual to request the court to schedule the time the individual will spend with minor children. Such requests can be made by parents, grandparents, or other family members.
Termination of Parental Rights	Case requesting the severing of the parent-child relationship

Adoption	Case involving a request for the establishment of new, permanent relationship of a parent and child between persons not biologically related.
Domestic Protection/ Restraining Order	Case involving a request to issue a protection or restraining order designed to limit or eliminate the contact between two or more individuals.
Domestic Relations-Other	Cases involving actions between family members, or other forms of domestic relationships, of unknown specificity, non-attributable to other categories, or as all single case types in domestic relations cases.

Table 1c: Examples of case type designation and associated legal issue

Issues before the court	Primary case type	Associated legal issue(s)
Divorce, custody, child support, visitation	*Dissolution/Divorce*	*Child Custody Child Support Visitation*
Parentage, child support, visitation	*Parentage*	*Child Support Visitation*
Spousal support, legal separation	*Legal Separation*	*Spousal Support*

Case Flags

NODS includes case flags to capture whether certain conditions were present in cases. Although courts may collect the information in more detailed ways, this is information that is often collected only within court documents and not in data fields, making it difficult to retrieve in a systematic way. Regardless of how the data are collected, this information can be mapped to a flag that indicates that condition was present.

Several case flags are relevant to family cases and may affect how the case is processed. Whether the case is contested, if children are involved, and if there has been a finding of domestic violence or of child abuse or neglect may all have profound impact on the case.

Dependency refers to cases "in which it is alleged that a child has been abused or neglected or is otherwise without proper parental care and/or supervision."[6] In some jurisdictions the existence of a dependency case is confidential, but courts with cases involving the same family must be aware of the other case(s) or run the risk of issuing conflicting orders.

Table 1d: Case flags

Data Element #	Flags	Definitions/Notes
24	**Confidentiality Flag**	Indication that the case indicates confidential information, including information such as legal minors, medical information, etc.
33	**Contested Flag**	Indication that the case was contested at some point
37	**Minors Involved Flag**	Indication that there are minors/children involved in the case
43	**Finding of Domestic Violence Flag**	Indication that there was a judicial finding of domestic violence associated with parties in the current case
44	**Dependency Court Judgment Flag**	Indication that there was a judicial finding in a dependency case associated with a minor/child involved in the current case (e.g., legal custody).

ICWA cases

Some family cases fall under the Indian Child Welfare Act (ICWA). This can affect the burden of proof for a Termination of Parental Rights case as well as for any related case. As such, the court should track if the case is an ICWA case and the date on which that determination was made. Note that there is also a child-specific ICWA flag in participant information.

Table 1e: ICWA data elements

Data Element #	Data Element	Definition	Values
32	**ICWA case flag**	Flag to indicate there was a finding that the federal Indian Child Welfare Act is applicable in this case	*Yes* *No*
32a	**ICWA date**	Date that a judicial officer made a ruling that the Indian Child Welfare Act applies to this case	*date*

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[6] https://www.courtstatistics.org/__data/assets/pdf_file/0031/88735/State-Court-Guide-to-Statistical-Reporting-v2.2.2.pdf

Linked cases

Multiple cases may be linked to family cases. Examples include:

- When a petition involving TPR, adoption, or guardianship is filed in a different court (such as dependency or probate)
- When the family is also involved in a dependency case due to alleged abuse or neglect of a child
- A family case in which a parent/caregiver has a criminal case
- A delinquency or status offense case involving one of the children in the case

In all of these situations, the linked case, jurisdiction, and case type should be part of the record.

Table 1f: Linked cases

Data Element #	Data Element	Definition
27	Linked case	Court case identifier for any associated case
28	Linked case jurisdiction	the court of the linked case
29	Linked case type	the primary case type of the linked case

Case Filings & Dispositions

Case filing is the single best time to collect basic case information. The challenge for many courts is keeping up with information added over extended periods of time, especially in cases that will follow minor children up to adulthood. Noting a filing type for each case can help in tracking each case over time.

Key dates to note in family cases include **case initial filing date, disposition date, date of marriage/domestic partnership,** and **date of separation**. The date of divorce will be a calculated field based on the date that a petition for divorce was granted.

Filing types may include *new, reopened, reactivated,* and *transferred*. A family case may be reopened for custody, visitation, or child support issues, for example. In family cases, it is not unusual for a significant portion of the court's family caseload to consist of reopened cases. Cases should not be kept open in anticipation of this, however. A case is reactivated if it was previously on inactive status, such as if one of the parties in a divorce case is in the military and has been deployed (see table 1g).

Filing Type	Notes
New	Case filed for the first time in the court.
Reopened	Case where a new petition has been filed after the adjudication, requiring further action by the court.
Reactivated	Case in which the court can take action on a case after a period in which the case was inactive.
Transferred	Cases that originated in another court or jurisdiction.

When a family justice case reopens, it may reopen with a new case type. For example, the original case may be dissolution/divorce, but the reopen case type may be child support enforcement IV-D. The new case type should be captured, but the original case type should also be retained.

Similarly, when the case is disposed, courts should track the **case manner of disposition** (jury trial, bench trial, or non-trial). A case is considered to be a jury trial if a jury was "impaneled to determine the issues of fact in the case" even if the jury did not reach a verdict in the case.[7] Some states do not have a provision for jury trials in family cases while others do.

Summary judgment, settlement, alternative dispute resolution, default judgment, dismissal, transfer to another court, bind over, guilty plea, Nolle prosequi, all delinquency and dependency non-trial hearings can all be categorized as non-trial dispositions (see table 1h).

Table 1h: Case disposition

Data Element #	Data Element	Definition	Values
18	**Case Disposition Category**	Category indicating the manner in which the case was disposed	Judgment Settlement/Plea Dismissal Transfer Other
19	**Case disposition detail**	Detailed description of the manner in which the case was disposed	Jury Trial Verdict Bench Trial Judgment Settled/Pled During Jury Trial Period Settled/Pled During Bench Trial Period

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[7] https://www.courtstatistics.org/__data/assets/pdf_file/0031/88735/State-Court-Guide-to-Statistical-Reporting-v2.2.2.pdf

			Summary Judgment Default Judgment Arbitration Award Settled/Pled Pre-trial Stipulated Judgment Dismissal: Stipulated/Voluntary/Nolle Prosequi/Withdrawn Dismissal: No Service Dismissal: Failure to Prosecute Administrative Judgment (by non-judicial officer) Transfer Removal Consolidation
20	**Case Manner of Disposition**	Method by which the primary petition or complaint was decided	Jury trial Bench trial Non-trial
21	**Disposition Date**	Date of the entry of judgment or other disposition on the primary petition or complaint	Date
22	**Case closed date**	Date upon which the final dispositional event for the case occurred (judgment or dismissal of last party) and additional court action would require a new petition to be filed	Date

Tab 2: Participants in the Case

The court should collect individual information on the participants in the case, to assist in monitoring family cases over time. Keeping track of demographic and contact information in case management systems (CMS) can help accurately identify individuals within the CMS.

Participant information to collect includes the items in Table 2.

Table 2: Participant information

Data Element #	Data Element	Definition	Values
1	Party Name	Full name of Party	*All available detail*
2	Party Opt-in to Text Notifications	Has Party opted in to text message notifications?	*Yes* *No*
3	Type of Electronic Service	Destination for electronic notifications from court	*text message* *email* *telephone* *social media*
4	Alias	Alias used by the individual, including maiden name	*All available detail*
5	Date of Birth	Individual's Date of Birth	*Date*
6	Race	Party's identification with one or more social groups	*White* *Black or African American* *American Indian or Alaska Native* *Asian* *Native Hawaiian or other Pacific Islander* *Other*
6a	Race source	The source or agency where the race data was collected	*Court (direct inquiry)* *Driver's license* *Law enforcement* *Jail* *Corrections/Probation* *Prosecutor* *Petitioner* *Another state agency* *Unknown*
6b	Race self-identified or observed	An indicator for whether the race source relies upon self-report by the party or an observation from someone else (e.g., law enforcement)	*Self-reported* *Observed or perceived*
7	Ethnicity	Party's identification with an ethnicity	*Hispanic/Latinx/Latino/Latina* *Non-Hispanic/Latinx/Latino/Latina*

7a	Ethnicity source	The source or agency where the ethnicity data was collected	*Court (direct inquiry)* *Driver's license* *Law enforcement* *Jail* *Corrections/Probation* *Prosecutor* *Petitioner* *Another state agency* *Unknown*
7b	Ethnicity self-identified or observed	An indicator for whether the ethnicity source relies upon self-report by the party or an observation from someone else (e.g., law enforcement)	*Self-reported* *Observed or perceived*
8	Gender	Party's self-identified gender	*Male* *Female* *Non-binary*
8a	Transgender	Party identifies as transgender	*Yes* *No*
9	Sex	Individual's biological sex/sex assigned at birth	*Male* *Female*
10	Entity Type	Party entity type	*Individual* *Insurance Company* *Hospital/Clinic* *Nursing Home/Rehab* *Education* *Law Enforcement* *Other Agency* *Other Business* *Other Government Agency*
11	Special Needs/ADA Flag	Flag to indicate accessibility needs the court should address with accommodations.	*Yes* *No*
	Mailing address*	Address consisting of number, street (or PO Box), city, state	

	Residential address*	Address consisting of number, street, city, state	
12	**ZIP Code**	ZIP code of Party	*Postal Code*
	Email address*		
	Phone number*	Phone number including area code	
	Phone type*	Type of phone to determine how it can be used (call, text)	*Landline* *Cell* *Work*
13	**State Firearm Restrictions**	Party is subject to firearm restrictions at the state level	*Yes* *No*
14	**Ever Represented**	Has Party ever been represented?	*Yes* *No*
15	**Primary Language8**	Individual's primary language if limited English proficient	
16	**Identifier**	Anonymized series of characters that identify the same individual within the court system, across cases and courts within the state.	*Text/Numeric*
18	**Relationship to Action**	Participant's role/standing in the case.	*Petitioner* *Nominated Party* *Respondent* *Subject of the Petition* *Interested Party* *Parent* *Foster parent* *Relative caregiver* *Guardian* *Conservator* *Executor*
44	**Veteran/Military status**	Indication of whether the individual is currently or has previously served in the armed forces.	*Yes - United States* *Yes - another country* *No*

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[8] Interpreter use and language is captured in tab 7, hearings and events

45	Tribal affiliation	Person's membership or affiliation with a Tribe	*Federally recognized Tribes*

Tab 3: Attorney/Advocates

In monitoring family cases, it is important to know the attorneys and advocates that are involved in the cases. If the parties have ever been represented, the court should keep track of the **Attorney/Advocate Entry Date** (first date the attorney/advocate entered the case), the **Attorney/Advocate End Date** (the date the attorney/advocate exited the case), and **the Associated party/participants** (the parties or participants that are represented or advocated for).

It may also be helpful to note the Attorney Type and Advocate Type.

Table 3: Attorney & advocate information

Data Element #	Data Element	Definition	Values
1	**Attorney/Advocate Name**	Full name of attorney/advocate	
2	**Firm Name**	Attorney/advocate's firm at time of entry into the case	
3	**Attorney/Advocate Address**	Mailing address of attorney/advocate	
4	**Attorney/Advocate ID Number**	ID number assigned by bar, supreme court, state, court, or case management system	*alphanumeric*
9	**Attorney/Advocate Entry Date**	Date attorney/advocate entered case	*Date*
10	**Attorney/Advocate End Date**	Date attorney/advocate exited case	*Date*
11	**Limited Scope**	Attorney retained to provide assistance on only some aspects of the case	*Yes* *No*
12	**Associated party/ participant**	the party/parties or participant(s) represented or	

		advocated for by this advocate	
14	**Attorney Type**	Type of Attorney	*Private Attorney* *Public defender* *Legal aid/legal services attorney* *Protection & Advocacy (P&A) attorney* *Allied Legal Professional* *GAL/best-interest attorney* *Other*
15	**Advocate type**	Type of non-attorney court-appointed advocate	*Navigator* *CASA/non-attorney GAL* *Court visitor* *other*

In participant information (tab 2), "ever represented" indicates that the person had an attorney at some point in the case. For thorough evaluation, capturing the dates of representation allows the court to analyze whether a person was represented at any given point of the case. To do this:

1. Identify the key case events (**Family hearing type**)
2. Identify the relevant dates (**Scheduled hearing/event date**)
3. Identify the **Hearing/event outcome**
4. Calculate the period of representation for each party (from **advocate/attorney entry date** and **advocate/attorney end date**)
5. Calculate if the held hearing or event occurred before, during, or after the period of representation

Tab 4: Status

Keeping track of a **case status** is important for family cases. Cases that start as dissolution/divorce may be reopened after the original disposition for custody, support, and/or visitation. These should be tracked as reopened cases (not as new cases). Cases dealing with dissolution/divorce and legal separations may be inactive if one party is in the military and stationed overseas.

Table 4: Case status

Data Element #	Data Element	Definition	Values
1	**Case Status Date**	Date of status change	*Date case status set*
2	**Case Status**	Case status after change	*Open/pending Inactive Disposed/closed Disposed & set for review Problem-solving court*
3	**Reason Placed on Inactive**	Reason for change to inactive status	*Bench warrant Court-issued stay Military status Bankruptcy stay Interlocutory appeal Body attachment Court-ordered evaluation Other*

Additional guidance on case status definitions can be found in The State Court Guide to Statistical Reporting.

Tabs 5 & 6: Pleadings/Motions and Filings

Courts can only effectively manage individual cases and the docket as a whole by maintaining data on the pleadings, motions, and filings of a case. Also note the key data elements for triage that courts may use at the beginning of a case.

Table 5: Pleadings, motions & filings

Data Element #	Data Element	Definition	Values
1	**Motion/Filing Title**	Title of motion or filing	*Text*
2	**Date Filed**	Date pleading or motion was filed	*Date*
3	**Filing Party**	Filing party	*Text*
4	**Motion/Filing type**	Type of motion or filing.	*Administrative Affidavit of inability to*

			pay costs *Continuance* *Discovery* *Dispositive* *Motion to dismiss* *Motion to suppress* *evidence* *Post-Trial* *Speedy trial* *Other*
5	**Pleading/Motion Outcome**	Order decision associated with specific motion(s)	*Granted (full, partial)* *Denied* *Dismissed/withdrawn*
6	**Amended**	Is this an amended motion/filing?	*Yes* *No*
7	**Agreed/Stipulated**	Is this motion/filing agreed/stipulated?	*Yes* *No*
8	**Opposed**	Is this motion/filing opposed?	*Yes* *No*
9	**Opposition**	Is this a filing in opposition to a motion/filing?	*Yes* *No*

Tab 7: Hearings and Events

Data elements on hearing and events help the courts manage individual cases and the docket as a whole. It is essential for effective case management.

Table 7: Hearings and events

Data Element #	Data Element	Definition	Values
1	**Scheduled Hearing/Event Date**	Date of scheduled hearing, trial, or conference	*Date*

2	**Judicial Officer**	Judicial officer presiding at the event	*Name or ID*
3	**Parties Present**	The parties or case participants present for the event	*Name, ID, or relationship to action*
4	**Attorneys/ Advocates Present**	The attorneys or advocates present for the event	*Name or ID*
5	**Hearing/ Event Outcome**	Outcome of hearing or event	*Held Continued Cancelled Postponed/Rescheduled Settled*
6	**Hearing/Event Modality**	Way that the hearing was held	*In-person video-conference telephonic combination*
7	**Continuance/ Postponement Reason**	Reason scheduled event was continued or postponed/rescheduled	*Transportation Evaluation Illness Court closed Party/witness not available/FTA Lack of notice Insufficient time Incomplete Discovery/Crime lab delay Other*
8	**Interpreter Present**	Was a certified/professional court interpreter used during the event?	*In-Person, Remote, None*
9	**Interpreter Language**	Language of certified court interpreter	*Language*
10	**Hearing Initiation**	Manner in which hearing was initiated	*Party's written motion Oral request (telephonic, in-court) Court's initiative*
14	**Family Hearing Type**	Type of family hearing	*Pretrial/Temporary Trial/Contested hearing Contempt*
17	**Evidentiary**	Was evidence introduced?	*Y/N*

18	Continuance/ Postponement party	The party/entity that requested the continuance/postponement	*Party* *Court*
19	Type of record	Type of record created during hearing	*Audio* *Video* *Court Reporter* *None*
20	Remote witness	Did any witness appear remotely?	*Y/N*
21	Remote witness type	Manner of remote witness appearance	*Audio* *Video*
22	Remote party	Did any party or attorney appear remotely?	*Y/N*
23	Remote party type	Manner of remote party/attorney appearance	*Audio, Video*
24	Conference Type	The type of conference scheduled	*Status/Review* *Pre-Trial* *Settlement* *Case Management/Scheduling* *Other*

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Tab 8: Orders

Court actions are captured through orders, which can be in response to pleadings, hearings, events, or monitoring activities. Capturing key data elements in a case management system (not just in court orders!) allows for better tracking of cases. Entering information about services allows courts to monitor compliance (or to track when services are ordered but unavailable). Service orders can include counseling, substance use treatment, parenting classes, supervised visitation, assisted outpatient treatment, hospitalization/inpatient treatment, hybrid AOT/Hospitalization, or other types of services. Medical, substance use, psychological, competency, custody, and home study evaluations can also be ordered.

Table 8: Orders

Data Element #	Data Element	Definition	Values
1	**Order Date**	Date order entered	*Date*
2	**Order Title**	Title of order	*text*
5	**Result**	Finding on pleading or motion	*Granted* *Granted in Part* *Denied*
6	**Party**	Party who is the subject of the order	*Name or ID*
7	**Judicial Officer**	Judicial officer issuing the order	*Name or ID*
11	**Reason for contempt**	reason for contempt finding	*Support* *Parenting/visitation* *No contact* *Other*
12	**Service ordered**	one or more parties were ordered to participate in a service	*Date*
13	**Service type**	services one or more parties ordered to access	*Counseling* *Substance use treatment* *Parenting classes* *Supervised visitation* *Assisted Outpatient Treatment (AOT)* *Hospitalization/Inpatient* *Hybrid AOT/Hospitalization* *Other*
14	**Service party**	the party or parties ordered to participate in a service	
15	**Service/ Evaluation Outcome**	Outcome of service/evaluation	*Held* *Continued* *Cancelled* *Postponed/Rescheduled* *FTA*

16	**Continuance/Postponement Reason**	Reason scheduled event was continued or postponed/rescheduled	*Transportation* *Evaluation* *Illness* *Court closed* *Party/witness not available/FTA* *Lack of notice* *Insufficient time* *Incomplete Discovery/Crime lab delay* *Other*
17	**Evaluation ordered**	one or more parties were ordered to participate in an evaluation	*date*
18	**Evaluation type**	type of evaluation ordered for party	*Medical* *Substance use* *Psychological* *Competency* *Custody* *Home study* *Other*
19	**Evaluation party**	the party or parties ordered to participate in an evaluation	
20	**Evaluation in-house**	The evaluation was conducted by the court	*Yes* *No*

Tab 17: Alternative Dispute Resolution

Alternative dispute resolution (ADR) is common in family justice cases in many jurisdictions. As long as the court ordered ADR, the case remains on active status within the court.

Referral date, ADR date, type of ADR, and **results of the ADR** are all data elements that should be collected.

Table 17: ADR elements

Data Element #	Data Element	Definition	Values
1	**Referral Date**	Date of referral to ADR/ODR	*Date*
2	**ADR Date**	Date on which ADR/ODR event was scheduled	*Date*
3	**Court Ordered**	Was ADR court-ordered?	*Yes* *No*
4	**Type of ADR**	Type of ADR	*Arbitration* *Mediation* *Settlement conference* *On-line dispute resolution (ODR)*
5	**ODR Facilitation**	Type of on-line dispute resolution facilitation	*None* *Machine* *Human*
6	**Report date**	Date when ADR was completed/ADR report filed	*Date*
7	**Result of ADR**	Result of ADR event	*Settled in whole,* *Settled in part,* *No settlement,* *Not Held*
8	**Associated parties**	parties ordered to participate in ADR	
9	**Hearing/Event Outcome**	Outcome of hearing or event	*Held* *Continued* *Cancelled* *Postponed/Rescheduled* *FTA*
10	**Continuance/Postponement Reason**	Reason scheduled event was continued or postponed/rescheduled	*Transportation* *Evaluation* *Illness* *Court closed* *Party/witness not available/FTA* *Lack of notice* *Insufficient time* *Incomplete Discovery/Crime lab*

		delay *Other*	

Key Data Elements for Triage

Efforts are underway to automate a family justice triage process that could be applied nationally, with the intent to provide qualitatively better and more timely justice for families. In a convening held April 2022, court experts from the US and Canada identified data elements that could hold greater predictive potential in the triaging of cases. A comprehensive list of the factors discussed are presented for future study, loosely organized by possible domains.[9]

Category	Triage element	NODS element	Tab
Legal	Temporary care motion*	**Motion/Filing type**	5,6
	Not a co-petition or joint application*		
	Repeated motions to change or vary an existing order*	**Motion/Filing type**	5
	Orders to show cause	**Order Title**	8
	Counter Claim	**Counterclaim**	5
	Multiple issues	Map from **Associated Legal Issues**	1
	Disagreement on stated position	Out of scope for NODS	
	Independent legal determination is required (for example, jurisdictional challenges)		
	Pending criminal charges	**Linked Case** **Linked Case Jurisdiction** **Linked Case Type**	1

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[9] The starred elements have been the subject of research e.g. Family dispute resolution: Characteristics of cases resolved by trial Poitras, Saini, Bala et al. (2019); Birnbaum, R., & Bala, N. (2010). Toward the differentiation of high-conflict families: An analysis of social science research and Canadian case law. *Family Court Review, 48* (3), 403–416 https://doi.org/10.1111/j.1744-1617.2010.01319.x; Marz, S. (2019). *Faster and as Satisfying: An Evaluation of Alaska's Early Resolution Triage Program. Family Court Review,* Vol. 57 No. 4, October 2019 478-490.

	Pending civil lawsuits that impact the family dynamic	**Linked Case Linked Case Jurisdiction Linked Case Type**	1
	Other related cases, including expired or current protection or restraining orders, dependency proceedings, or similar state interventions with the family.	**Linked Case Linked Case Jurisdiction Linked Case Type**	1
	Allegations of fault	Out of scope for NODS	
	Representation of the petitioner and respondent by a lawyer	**Attorney/Advocate name Associated Party Attorney/Advocate entry date Attorney/Advocate end date**	3
Children	Strained parent-child relationship	Out of scope for NODS	
	Age(s) of children (younger)	Calculated from **Date of Birth**	2
	Mobility/relocation cases	Out of scope for NODS	
	Third party assertions in child custody matters		
	The child is subject in another case	**Linked Case Linked Case Jurisdiction Linked Case Type**	1
	Children demonstrating negative effects of high conflict. Consider, for example, delinquency/truancy, education	Can be partially calculated from **Linked Case Linked Case Jurisdiction Linked Case Type**	1
	Existing arrangements regarding decision making and parenting time (see, for example, Alaska – Early Resolution Program ERP Flowchart)	Out of scope for NODS	
	The existence of a resist/refuse dynamic relating to a child who opposes spending time with a parent.	Out of scope for NODS	
Party Character istics	Length of marriage	Calculated from **date of marriage/domestic partnership**	1
	Length of separation	Calculated from **date of separation**	1

	Other relevant factors, such as poor communication, poor parenting, substance use disorder	Out of scope for NODS	
	The need for treatment plans distinct from the parenting plan where there are mental health or substance abuse issues	May be able to be calculated from **Service ordered Service type Service party**	8
	Parent or child's incarceration	**Linked Case Linked Case Jurisdiction Linked Case Type**	1
History of past services	Prior unsuccessful use of mediation services	Can be calculated from **ADR Date ADR Result** (potentially from linked cases)	17
	Two or more service providers were involved with the family	May be able to be calculated from **Service ordered Service type Service party**	8
Financial	Significant property and/or debt	Out of scope for NODS	
	Pending or recent bankruptcy	**Linked Case Linked Case Jurisdiction Linked Case Type**	1
History of Coop-eration	Parties have been able to agree to prior motions or filings (also capture date for this purpose)	**Agreed/Stipulated**	6

The predictive value of these elements requires additional study. Further, many require time-consuming review of motions and or transcripts. Future work should identify proxy elements or other processes to facilitate analysis.