High Performance Court Framework

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What are we trying to improve?

- Failure to institutionalize best practices.
- Need to better integrate best practices.
- Need to improve allocation of scarce resources.
- Need to improve ability to solve significant problems.
What does the HPCF do?

- Provides an approach for managing court performance using objective data.
- Provides a repeatable process for solving court business problems.
- Provides an approach for better integrating the different aspects of court performance.
What are the big problems?
The High Performance Court Framework at a Glance

The High Performance Court (HPC) Framework provides a comprehensive set of organizing concepts that describe what a high-performing court seeks to accomplish. It is based on the premise that courts seek to conduct business according to four guiding administrative principles. These principles help identify important areas of performance to measure. Moreover, the Framework shows how a court can and should develop a managerial culture supportive of adapting to a constantly changing environment.

Customer Perspective
How should we treat cases and all participants in the legal process?

Internal Operating Perspective
What does a well functioning court do to excel at managing its entire caseload?

Innovation Perspective
How can court personnel learn to adapt to new circumstances and challenges?

Social Value Perspective
What is a court’s responsibility to the public and funding bodies?

HPC Measurement: A Balanced Scorecard

**Effectiveness**
- gauges the match between stated goals and their achievement
- CourTools and Other Measures:
  - Measure 1: Trial Date Certainty
  - Measure 2: Disposition of Penalties
  - Measure 3: ‘Just’ Usage

**Procedural Satisfaction**
- gauges if customers perceive the court is providing fair & accessible service
- CourTools and Other Measures:
  - Measure 1: Access
  - Measure 1: Patience
  - Transaction time

**Efficiency**
- gauges the reliability and stability in key processes
- CourTools and Other Measures:
  - Measure 1: Case Completion
  - Measure 1: Age of Pending Case
  - Measure 1: Case File Integrity

**Productivity**
- gauges whether processes make the best use of judge and staff time
- CourTools and Other Measures:
  - Measure 1: Case Completion
  - Measure 1: Time to Disposition
  - Utilization Assessment

HPC Management: The Four Capitals

**Organizational Capital**
Judge and staff member work is organized to achieve the best use of time in pursuing common goals and communicating these goals clearly to justice system partners.

**Technological Capital**
Using technology to achieve greater efficiency and quality while managing it competently. The use of innovative applications is regularly reviewed.

**Human Capital**
Promoting the sharing of information and ideas on performance. Targets and results, input and feedback are solicited by court leaders from all personnel.

**Information Capital**
Pursuing a credible evidence based system to evaluate court performance. Ongoing attention to measurement and analysis help to ensure data are valid and meaningful.

HPC Management: Strengthening the Role of Courts

**Public Trust and Confidence**
Public support is recognized as critical for legitimacy and compliance with decisions. As a result, a court will seek to demonstrate and communicate a record of high job performance.

**Support of Legitimizing Authorities**
Adequate funding from other branches of government is sought on the basis of court performance, especially the efficient use of public resources.
Customer and Internal Operating Perspectives

HPC Measurement: A Balanced Scorecard

- **Effectiveness**: gauges the match between stated goals and their achievement
  - CourTools and Other Measures:
    - Measure 5: Trial Date Certainty
    - Measure 7: Enforcement of Penalties
    - Measure 8: Juror Usage

- **Procedural Satisfaction**: gauges if customers perceive the court is providing fair & accessible service
  - CourTools and Other Measures:
    - Measure 1: Access
    - Measure 2: Fairness
    - Transaction Time

- **Efficiency**: gauges the variability and stability in key processes
  - CourTools and Other Measures:
    - Measure 2: Clearance Rate
    - Measure 4: Age of Pending Case Load
    - Measure 6: Case File Integrity

- **Productivity**: gauges whether processes make the best use of judge and staff time
  - CourTools and Other Measures:
    - Measure 10: Civil Per Case
    - Measure 5: Time to Disposition
    - Workload Assessment
Human Capital

- Development of professional capabilities
- Ability and willingness to innovate
- Alignment of personal values with organizational values
- Knowledge of best practices in individual areas
Organizational Capital

- Alignment of court culture(s)
- Effectiveness of court leadership
- Ability to manage change
- Collaboration with business partners
- Application of best practices
Information Capital

- Management of business knowledge
- Quality of court records
- Accessibility of court records
- Transparency of court records
- Timeliness of management reports
Technology Capital

- The 10 “E-Everything” basic capabilities
- The advanced capabilities
- Putting it all together
- Keeping it all current
- Keeping it all aligned to the business
- Managing it competently
Social Value

- Support of legitimizing authorities
  - Funders
  - External stakeholders
- Public trust & confidence
  - Rule of law
  - Civic culture
Quality Cycle

1. Performance measures signal a problem.
2. Use problem trees to identify the problem.
3. Use solution trees to identify possible solutions.
4. Implement the prioritized solutions that offer the highest chance of solving the problem for the lowest cost.
5. Evaluate the results using the measures.
CourTools Measure 1 (access & fairness): parties in family cases and individuals filing papers in a family case provided lower scores on two of the questions:

Q2: The forms I needed were clear and easy to understand.

Q15: As I leave the court, I know what to do next on my case.
An Example Quality Cycle: Identification

- CourTools M3 (time to disposition) shows that family cases fail to meet the benchmarks for timely case processing.
- CourTools M4 (age of active pending caseload) shows that family cases have a larger backlog.
- A workload/staffing study estimated a higher than average case weight for family cases.
An Example Quality Cycle: Identification

Statement of Problem:

Family cases are not being disposed in a timely manner and parties involved in family cases are unsure of how to initiate cases and what to do after their cases begin.
An Example Quality Cycle: Problem Analysis

- Review the qualitative responses from the M1 survey for family cases.
- Examine the number of continuances for family cases.
- Examine the number of pro se family cases.
- Solicit input on the findings from family court judges.
An Example Quality Cycle: Problem Analysis

Re-statement of problem:

Family cases involving pro se litigants are continued at a greater rate, putting stress on court staff and judges.
An Example Quality Cycle: Best Practice Solutions

- Redesign the service to provide improved self-help resources in the law library.
- Redesign the service to add a family law coordinator to facilitate family case management.
- Collaborate with the local family law Bar to develop a legal clinic for family court staffed by pro bono attorneys.
An Example Quality Cycle: Best Practice Solutions

- Improve staff training on working with pro se family case litigants.
- Improve judicial training on working with pro se family case litigants.
- Develop and/or improve the statewide website for pro se self-help on family cases, including easier to use forms.
An Example Quality Cycle: Best Practice Solutions

- Implement best practices from SRLN Best Practices Handbook pertaining to judicial explanations of orders.
- Hold regular meetings of the family law bench to discuss potential caseflow problems.
An Example Quality Cycle: Evaluation

- Review updated data from CourTools measures 1, 3 and 4 to assess if the implemented solutions are having the desired affect.
- Reestimate the case weight for family cases and see if it is smaller.
- Reframe the problem and design additional solutions as needed.
How Do You Get Started?

- Don’t try the big bang approach.
- Do implement incrementally according to the business problems you are experiencing.
- Do try to implement all layers of the Framework in a consistent way.
- Do use the Quality Cycle.
- Do start with the Assessment Tool.
HPCF Assessment Tool

- This is a self-assessment tool.
- The goal is to identify areas of organizational weakness.
- Ten yes/no questions for each major concept in the Framework (100 questions altogether).
The Self-Assessment Experience

Let’s ask ourselves a few of these self-assessment questions and see how we do!
Self-assessment Quiz

• *Procedural Satisfaction*
Users of our court believe that the time spent waiting to conduct their business was reasonable.

• *Effectiveness*
When called to the courthouse for jury service, at least 75% of citizens will be sent to a courtroom for jury selection.

• *Efficiency*
Active case files can be easily located within 15 minutes.
Self-assessment Quiz

- **Productivity**
  Our court knows what its costs are for each major case type.

- **Organizational Capital**
  Making time to discuss the results of performance measurement is a regular item on the agenda of judges’ meetings.

- **Human Capital**
  Staff are encouraged to look for ways to improve processes and procedures.
Self-assessment Quiz

- **Information Capital**
  Judges have confidence in the accuracy and reliability of court data.

- **Technology Capital**
  the business needs articulated by judges, managers, and staff drive the acquisition and use of technology.

- **Public Trust and Confidence**
  Information on court procedures is available to the public, written in a way they can easily understand.
Self-assessment Quiz

- Support of Legitimizing Authorities
  Our court regularly publicizes the results of its performance measurement system.

So, how did you do?
Want to be a pilot?

We are actively soliciting pilot sites to test the HPCF concepts and tools. If you are interested, please contact us.

Thanks!