

Court Express



NATIONAL ASSOCIATION FOR COURT MANAGEMENT

WINTER 2012

VOL. 13, NO. 1

NACM MIDYEAR
CONFERENCE IN

Minneapolis

“We’re Having a Heat Wave!”

By Janet G. Cornell

The NACM Midyear conference was held February 5-7, 2012, in Minneapolis, Minnesota, in balmy weather – for Minneapolis!

Indeed the weather favored the out of town attendees; there was no snow or ice!

More than 260 attendees participated to consider “Transformative Governance and Leadership.” Minnesota court managers were present in force since the Minnesota Association for Court Management (MACM) combined their meeting with this NACM conference.

Welcome comments were provided on Sunday night by Sue K. Dosal, Minnesota’s state court administrator, who noted the need for courts to remain relevant, and on Monday morning by Chief Judge James T. Swenson, Fourth Judicial District of Minnesota, who said courts should be creative, embrace change, and welcome technology to provide litigant access.

Courts should be creative, embrace change, and welcome technology to provide litigant access.

CHIEF JUDGE JAMES T. SWENSON
Fourth Judicial District of Minnesota



President Kevin Bowling

Keynote sessions at the conference were “Combating Information Overload and Decision Fatigue” and “Courts Coping with the New Normal: Courts’ Unique Strengths and Coping Strategies.” Workshops included follow-up sessions on information overload and coping strategies; other breakout sessions covered resetting court priorities, ethics, a review of the mini guide “The Court Administrator,” and tips for leading technology change. Special interest groups were held for general jurisdiction, limited jurisdiction, and family/juvenile court managers – all intended for networking and sharing.

A court exhibitor show was included on Monday during the conference. Attendees had time to interact directly with more than

30 exhibitors. Evening networking events further allowed attendees the opportunity to meet and visit in a relaxed environment. Conference materials were included on the NACM mobile site (m.nacmnet.org), conference tweets were sent, and some sessions were recorded so that members can view them on the NACM website.

Janet Cornell is a court administrator in Scottsdale, AZ.

Let's Connect



Join our facebook page



Find us on LinkedIn



Follow us on Twitter

Knowledge Management and Leadership

By Peter Coolsen and Jeanine Tucker

Dr. Bruce Lloyd, professor of strategic management at London South Bank University, has studied wisdom and knowledge in the context of the ever-increasing speed at which information has been coming at us over the past decade. In his work *Wisdom, Knowledge Management and Leadership: Linking the Past, Present and Future*, Dr. Lloyd points out that we continually find ourselves looking for ways to organize and compartmentalize new information and to manage the knowledge gained, which has taken shape as a new industry: knowledge management. Dr. Lloyd observes that this is due to the world's realization that "Effective Learning is the only sustainable competitive advantage." He points out that in parallel with this phenomena is the influence that the millennium itself has had on our intellectual focus and need for reflection on the past. With all that is going on around us, we need to center ourselves, to continually take stock of where we are, where we have been, and where we are going. Beyond our need to manage new information and to consider how it fits into our new reality, he states, "if we want to have a better future, the first and most impor-



Dr. Bruce Lloyd
professor of strategic management

tant thing that we have to do is improve the quality and effectiveness of our learning."

The 2010-2015 NACM National Agenda – and its six priorities – highlights our recognition of these phenomena and of the importance of education to our profession. The focus of Dr. Maureen E. Conner's piece, "The Role of Higher Education in the Development of the Judicial Administration Profession," is the sixth National Agenda priority – *Supporting Professional Court Management Education* – and offers an in-depth look at how we got here based on the division of court management education into two levels: 1) the continuing education offered by court and court-related organizations and 2) the college or

university level programs conferring academic certificates and/or degrees.

Transformative Governance and Leadership, addressing the fourth National Agenda priority, was the theme for this year's NACM Midyear Conference, which is nicely summarized in this issue by Janet Cornell in her article "We're Having a Heat Wave!" With Dr. Lloyd's observations in mind, readers will be able to look at "Combating Information Overload and Decision Fatigue," the title of one of the conference's plenary sessions, from a different perspective.

Continued on page 3

TABLE OF CONTENTS

The NACM Midyear	1
Conference Recap	
Co-Editor's Corner	2
The Role of Higher Education	3
Helpful Websites:	5
Looking Ahead in 2012	
Mark Your Calendar	5
Get Your SJI News	5
The 2012 Annual Conference	6
Award Submissions Due	6
in April	
Updates to the Children's	7
Bureau's Court Improvement Program Grants	
Membership Zone	7
Backlog per 100	8
NACM Early Career	9
Professional Webinar	
Milestones	9

Court Express is published quarterly by the National Association for Court Management. Opinions expressed and procedures explained in the articles are not necessarily those of the association. The association encourages submission of material that will interest or benefit its members. Address correspondence to:

James Peter Coolsen

Editor

Court Administrator
Criminal Division
Circuit Court of Cook County
Chicago, Illinois
Tel: (773) 674-3385
peter.coolsen@cookcountyil.gov



Peter Coolsen

Jeanine Tucker

Editor

Court Operations Manager
Superior Court of California,
Stanislaus County
Modesto, California
Tel: (209) 236-7810
Jeanine.tucker@stanct.org



Jeanine Tucker

Dr. Giuseppe M. Fazari's article ponders "Backlog per 100: The Quintessential Measure for Comparing Districts in a Unified System?" and asks readers to consider alternative ways to measure performance.

Looking forward, readers will find information on the upcoming 2012 NACM Annual Conference in Orlando. This issue's "Helpful Websites for Court Managers," encourages readers to begin thinking once again about the fourth of the six National Agenda priorities – *Promoting Improved Court Leadership and Governance* – the theme

for our upcoming annual conference. It was President John F. Kennedy who said, "Change is the law of life. And those who only look to the past or present are certain to miss the future." As the co-editors of *Court Express*, our goal is to look at the past, present, and future of the court management profession, ever mindful of our need to manage all of the information that is coming toward us and of our need to feel centered, but looking always to the future and to new ways to of preparing us to embrace what lies ahead.

NACM's 2010-2015 National Agenda Priorities

By Maureen E. Conner

This is the sixth article in a series examining the six NACM National Agenda priorities.

The Role of HIGHER EDUCATION in the Development of the Judicial Administration Profession

The 2010-2015 NACM National Agenda has six priorities—one of which directly addresses Supporting Professional Court Management Education. This priority is divided into two levels. The first level is professional ongoing continuing education delivered by court or court-affiliated organizations. The second level is college or university education programs granting bachelor's or master's degrees, as well as academic certificates. It is the second level that is the subject of this article.

First, we explore what makes an occupation a profession. Second, we consider the value of academic credentials. Last, we take a quick trip through what is currently available in the world of higher education that can build the professional credentials of judicial administrators.

Achieving Professional Status

There are several elements that nearly all researchers agree, that when present, an occupation is recognized as having professional status by those outside of the profession. For the purposes of this article, we will focus on three of those elements, which have

remained consistent over time and relate to the value of academic-affiliated educational credentials, especially those that result in degrees.

1. Obtaining abstract knowledge through extensive specialized education and training for the purpose of solving human problems (Abbott 1988).
2. Applying abstract knowledge to the problem-solving process of diagnosing, treating, and inferring in a way that is not routine, thus maintaining power and control over problem solving (Abbott 1988).
3. Ensuring autonomy by claiming and holding jurisdiction through means such as obtaining expert knowledge, skilled application of expert knowledge, licensure, ethics codes, statutes, case law, media manipulation, and public relations (Abbott 1988).

Recognition that Only Academic Institutions Can Bring to a Profession

Once an academic institution of high standing offers degree options

related to a field, discipline, or profession, the following is universally understood:

- the decision has been based on a rigorous review of the research that comprises the foundational knowledge of the degree;
- the curriculum is reflective of the research and the evolution of critical thinking and strategic application of the knowledge; and
- individual courses develop the students' abilities to apply what they learned, thus demonstrating the above three elements of professional status—acquiring and applying abstract knowledge to increasingly more complex human problems in a way that demonstrate competency and expertise, all of which results in authority and autonomy in professional practice.

Degrees extend status, authority, and recognition. By extension, those individuals who hold the degrees are accorded the same status, authority, and recognition when their practice is reflective of the standards of the degree and the professional group with which they affiliate. Professions that

Continued on page 4

require degrees, especially graduate degrees, signal to the public (and to other professions) that highly educated individuals with expert knowledge and specialized practice are required to do the work of the profession—meaning that “not just anyone” can execute the duties and responsibilities of the profession.

As professions evolve, leaders from those groups will ask universities to develop specialized study programs that result in certificates that may be part of a degree program or may stand on their own. These programs undergo a curriculum review process similar to a new degree, which is why they are sought after by employers as well as by professional associations. This type of certificate provides already educated professionals with specialized knowledge that is specifically targeted to the needs of the marketplace and stands to advance the career opportunities of the individual. This type of credential will not replace the higher standing accorded to an individual who has a degree, but it can add an important credential when a specialized knowledge area is required.

In short, when a college or university of high standing invests its resources in developing specialized educational credentials, it is also investing its reputation in the recipient group and is signaling the rest of the world that this is a profession worthy of recognition and status. Such an action becomes a rite of passage for those occupations that are desirous of gaining professional status.

What Academic Institutions Award Degrees in Court or Judicial Administration?

Early in the development of the judicial administration occupation, programs were developed that supported the profession and awarded degrees. Two of the most recognized were offered by the University of Denver and the University of Southern California. Many of today’s experienced court

leaders received their degrees through those two institutions. Both programs underwent many changes, with the University of Southern California program being discontinued and the University of Denver program evolving into a legal administration degree. However, with research undertaken by the National Association of Court Management (NACM) and conducted by Dr. John Hudzik of Michigan State University (MSU) during the 1990s, the core competencies of the judicial administration profession were empirically identified and subsequently vetted via a multi-year process with judicial administrators, academics, and others in the field. The result was a listing of required knowledge, skills, and abilities across 10 competency areas. These competencies allowed universities to develop and offer advanced studies in court administration because they could now use the empirical research, which had been previously missing. Thus, new degree programs were developed and offered. The first university to do so, using the new core competency guidelines, was MSU. Other universities followed—most notably, the University of Denver, Sturm Law School, and the University of Nevada-Reno. Several other universities and colleges are offering master’s degree specializations and certificates in judicial administration. This demonstrates that judicial administration is gaining recognition, which indicates that the profession is gaining legitimacy and strength.

The MSU Options for Judicial Administration Education Credentials

The MSU program is an example of how a top 100 worldwide research university approaches an emerging profession. The MSU master’s degree in science is based in criminal justice with a third of the courses teaching the evolving methods, models, and practices of judicial administration; another third addresses applied

research methods and policy analysis; and a final third involves theory. At the outset, MSU understood that as an evolving profession, career-minded individuals would come to the courts from other professions with other degrees that were more established or of longer standing. To fill that knowledge gap related specifically to judicial administration, MSU elected to offer two kinds of certificates—a transportable credit-bearing graduate certificate and a noncredit certificate, both of which have their foundation in NACM’s core competencies. [Typically, two MSU classes are offered at the NACM annual conference. This year’s conference will offer “Essential Components of Courts” and “Leadership.”]

The master’s degree is a 30-credit program, the graduate certificate is a 12-credit program, and the noncredit certificate is a 60 instructional hour program. All three options are available online with the noncredit certificate also being offered by national, state, local, and federal court or court affiliated organizations known as the partner-provider network.

Summary

As the judicial administration profession grows, so will the need for more educational options and sound research, which will further grow the abstract and specialized knowledge base it requires to expand and thrive. A vibrant community of practice will always find partners and collaborators in academia, which benefits the university, the profession, and those who are the recipient of the professional’s services.

Reference

Abbott, A. 1988. *The system of professions: An essay on the division of expert labor*. Chicago: The University of Chicago Press.

Dr. Maureen E. Conner is an associate professor in the School of Criminal Justice and director of the Judicial Administration Program at Michigan State University.

Looking Ahead in 2012

By Jeanine Tucker

In looking ahead to the 2012 NACM Annual Conference in Orlando, and specifically at the theme of this year's annual conference, *Promoting Improved Court Leadership and Governance* – the fourth of the six National Agenda priorities – we wanted to call your attention to “Court Leadership: Harvard Executive Session for State Court Leaders in the 21st Century, 2008-2011,” which is found at the National Center for State Courts’ (NCSC) website. The Executive Sessions at the Harvard Kennedy School are think tanks, bringing individuals together to tackle specific issues and explore various themes. Many of the topics are then developed into papers, which will appear on the NCSC’s website. Examples of some of the topics/themes are: “the use of budget crises as adaptive challenges to court leaders” and “identification of essential principles for effective court governance.” Two

papers that are currently available for your review and consideration are: “A Case for Court Governance Principles” and “Herding Lions: Shared Leadership of State Trial Courts.” Also available is a list of papers which will be available in the future and will cover such relevant and timely topics as “Juror and Jury Use of New Media: A Baseline Exploration” and “Keeping Courts Funded: Recommendations on How Courts can Avoid the Budget Axe.” Publications, presentations, and video of the sessions from the 4th National Symposium on Court Management in 2010 can also be found here.

Top 10 Website Award

As part of our ongoing efforts to provide timely and relevant information about helpful websites, we thought that it would be appropriate to let you know that the Forum on the Advancement of Court Technology (FACT), a special committee of

HELPFUL WEBSITES



FOR COURT MANAGERS

NACM, is currently seeking nominations of a court or court-related website for its annual Top 10 Websites Award, continuing in the tradition started by Chris Crawford and Justice Served. Nominations are due April 1, and any court or court-related website is eligible provided that it was not selected the previous year. The 2012 awards will be announced at the 2012 NACM Annual Conference in Orlando, Florida, on Wednesday, July 18. Notification of the award is expected by May 1. Selected websites will be featured on the NACM and FACT websites. To submit a nomination, you may send a link to the court or court-related website to fact@nacmnet.org. A five-person evaluation committee will review each site and make its selections from the nominees. If you have questions, please submit those to fact@nacmnet.org.

Mark Your Calendar



APRIL 16, 2012

NACM Award of Merit Deadline
NACM Justice Achievement Award deadline

APRIL 25, 2012

ECP Free Webinar
“It’s All About the People Who Work in the Courthouse”

MAY 1, 2012

Deadline for FACT Top 10 Websites Nominations

JUNE 8, 2012

Declaration of Candidacy for 2012-2013 Board due

JULY 15-19, 2012

NACM 2012 Annual Conference
Hilton Orlando Bonnet Creek
14100 Bonnet Creek Resort La.
Orlando, Florida
(888) 353-2013
Room Rate: \$159 per night for reservations made by June 22, 2012

FEBRUARY 5-7, 2013

NACM 2012 Midyear Conference
Westin Bonaventure Hotel and Suites
404 S. Figueroa St., Los Angeles, CA
(213) 624-1000
Room Rate: \$179 per night single/double occupancy for reservations made by Jan. 18, 2013

Get Your SJI News

The monthly *E-SJI News* provides information on SJI-funded grants to state courts, court associations, and court support organizations. It also includes the latest news on SJI activities, and information on SJI initiatives that are improving the administration of justice in state courts. SJI continues to support NACM and its mission. Read the current issue here!



Promoting Improved Court Leadership and Governance

By Jeanine Tucker

It is time to mark your calendars for the 2012 NACM Annual Conference in Orlando, Florida, which will take place July 15-19. The beautiful Hilton Orlando Bonnet Creek, a four-star resort, will be the backdrop for this year's annual conference. The theme, *Promoting Improved Court Leadership and Governance*, is one of the six 2010-2015 NACM National Agenda priorities, which were established to stimulate learning and to promote new strategies to advance the knowledge of court professionals and, ultimately, to enhance judicial and court administration.

Events on Sunday, July 15, include the Early Career Professionals (ECP) Welcome Session and the Michigan State University Certification Program session, and will be topped off by the President's Reception.

The NACM Award of Merit will be presented Monday morning, followed by the conference theme and keynote introduction, which will be presented by Pamela Q. Harris, NACM president elect. At 9:00 a.m., Monday's keynote address, "Good Governance: Developing Principles and Policies for an Effective Organization," will be presented by Robert C. Andringa. Finishing touches are still being made to the conference's extensive agenda, which offers excellent and insightful workshops beginning on Monday morning following the keynote.

Leadership will be the theme on Tuesday, with a keynote address on "Leading Your Court to High Performance" by Walter E. Natemeyer. Workshops on leadership, high performance courts, and managing high-profile cases are among Tuesday's offerings.

Events on Wednesday, July 18, include an early morning Fun Run/Walk and golf tournament; registration for the golf tournament is required by April 16. The annual Exhibit Show will be held between 10:00 a.m. and 5:00 p.m., and Court 2 Court will give you the opportunity to learn about innovative programs from courts around the country.

On Thursday, we are excited to bring compelling speaker and *New York Times* best-selling author Stephen M.R. Covey to the stage to speak about the *Speed of Trust*. Stay to hear Covey's keynote follow up on the topic immediately following the break and learn why trust is more than a soft, social virtue, but a hard-edged, economic driver as well – learnable and measurable. You will even leave with a free copy of Covey's latest book, *Smart Trust*. NACM thanks FACT and CourtView for sponsoring this presentation. Afternoon workshops will explore implementing the Speed of Trust in courts, ethics, and service to the international community.



Stephen M.R. Covey
Keynote Speaker

Sponsors **CourtVIEW** **fact**
JUSTICE SOLUTIONS

The 1,000 guestrooms at the 17-story Hilton Orlando Bonnet Creek are well-equipped with wired and wireless high-speed Internet access. With 13 dining venues located on the hotel property, a full-service spa, four outdoor swimming pools, a golf course, gift shops, and more, there is much to see and do in your free time. The cutoff date for a NACM room rate of \$159 for single/double occupancy is June 22, 2012. You may make reservations online or by calling (888) 353-2013.

In addition, the Hilton Orlando Bonnet Creek is located in the entertainment district of Orlando, and there are several theme parks located nearby, including Disney World, Sea World, and Universal's Islands of Adventure. NACM members in Orlando have created a local's guide to give you an overview of what Orlando has to offer. We look forward to seeing you in Orlando!

Award Submissions Due in April

NACM's most prestigious individual award – the Award of Merit – is presented annually to recognize distinguished service and outstanding contributions to the profession of court administration. Nominations for the award, including reference letters are

due Monday, April 16. For more information, see the NACM website.

The Justice Achievement Award was established to publicly recognize courts and related organizations for meritorious projects and exemplary accomplishments that enhance the

administration of justice. Nominations may be submitted by any person, court, related agency or organization. Deadline for submissions is Monday, April 16. See the NACM website for more information and instructions.

Updates to the Children's Bureau's Court Improvement Program Grants

By Kelly Steele, Joint Technology Committee

Court Improvement Program (CIP) grants have been awarded to state court systems by the federal Department of Health and Human Services since 1993 to conduct assessments of their foster care and adoption laws and judicial processes, and to develop and implement a plan for system improvement. These grants were recently reauthorized for 2012-2016.

The new *Program Instructions*¹ for the CIP grants emphasizes:

- *Meaningful and ongoing collaboration*² with stakeholder agencies, including Indian Tribes where applicable;
- *Continuous quality improvement*³ using data to identify, inform, and monitor implementation and results of programs and interventions in an ongoing fashion (performance measures); and
- *Outcome focused CIP activities*⁴ clearly identified with measureable objectives.

In addition, there are several new provisions including, but not limited to:

- Requires each state applicant to submit a single application that specifies each state CIP grant purpose for which the court is applying;
- Adds concurrent planning and increasing and improving engagement of entire family in court processes;
- Allocates \$1 million for the creation of Tribal CIP (eligible applicants include Indian tribes and tribal consortia that meet certain criteria); and
- Report five performance measures of the timeliness of court events listed in the Program Instruction, or
- Submit a plan with the court's FY 2012 application, showing how the five performance measures will be reported beginning in FY 2013.

Key points for court IT leaders:

- Training and technical assistance are available from the Children's Bureau through the National Child Welfare Resource Center on Legal and Judicial Issues (NRCLJI), the National Resource Center for Child Welfare Data and Technology (NRC-CWDT), and National Child Welfare Resource Center for Organizational Improvement (NRCOI).
- One of the key capacity building strategies under the Outcome Focused CIP Activities emphasis area is "collecting data and developing data collection infrastructure, sharing data. . . (including automated efforts to achieve interoperability with other systems through the use of a national data exchange standard such as the National Information Exchange Model (NIEM), and bi-directional interfaces with Statewide Automated Child Welfare Information Systems (SACWIS)."
- Funds must be used to improve proceedings related to child abuse and neglect cases. Funds cannot be used to build segments of a management information system (MIS) that are intended for other types of cases. State courts are highly encouraged to use these funds to: pay for a proportionate share of the common architecture of a larger specialized segment of the MIS; pay for the child abuse and neglect portion of the MIS or of a larger segment of the MIS; adapt or customize existing MIS systems specifically for abuse and neglect; create abuse and neglect modules within the MIS system;

pay for interfaces for exchange of information with the child welfare agency (SACWIS) and others; and pay for projects to share data with other entities.

- Beginning in FY 2013, all year-end program assessment reports must include data to measure timeliness of *hearings*⁵ and indicators of quality of *hearings*⁶ and *legal representation*⁷.

MEMBERSHIP ZONE



It's Time to Connect!

By Paul DeLosh and Kelly Steele

Have you liked us on Facebook, found us on LinkedIn, or followed us on Twitter?

Use of NACM's social media platforms helps our membership stay connected to their organization through the sharing of information relevant to the field of court administration while keeping them abreast of what their organization is doing for them.

Efforts were recently made to update our presence on Facebook, and we now have an official organization page where you can contribute and comment on NACM administrator or member provided content. Also, your Ethics Committee has recently created a new LinkedIn ethics subgroup as a forum to discuss ethics-related issues facing all of us. **Join that subgroup now to be part of these future discussions.**

The more members we have contributing to the discussion the better, so go ahead – Like Us, Find Us, and Follow us today!

¹ Hyperlink to document titled Draft CIP PI

² Hyperlink to heading II. a. p. 4 in document titled Draft CIP PI

³ Hyperlink to heading II. b. p. 6 in document titled Draft CIP PI

⁴ Hyperlink to heading II. c. p. 8 in document titled Draft CIP PI

⁵ Hyperlink to V. p. 14 in document titled Draft CIP

⁶ Hyperlink to document titled Attachment A

⁷ Hyperlink to document titled Attachment B

Backlog per 100: The Quintessential Measure for Comparing Districts in a Unified System?

By Giuseppe M. Fazari

Imagine walking into a local hardware store and seeing a set of wrenches showcased: adjustable, socket, ratchet, pipe, t-type wheel, and a three-way oil filter wrench.

You contemplate purchasing one of the wrenches, but first ask the salesperson’s recommendation on which of the six is the best. The salesperson, perplexed by the question, responds:

Well, it depends on the job. All wrenches are built to maintain leverage and keep the load in balance, but there are many differences, which makes comparisons difficult. For instance, they come in American standard and metric sizes. There are several specialty wrenches designed for specific parts and work. The size of the wrench is particularly important because if it does not fit securely, it could strip the nut causing you to commit more time and money to the task at hand. A high-quality wrench will help you thread the object with just the right amount of torque so that it is fastened and loosened securely. Your experience at the work is also a factor that needs to be considered.

Comparing courts in a unified system is analogous to the different wrenches, but for the last 10 years, the New Jersey Judiciary (NJJ) has instituted a measure that allows judges and administrators to evaluate relative performance. The NJJ has a unified court structure that comprises 21 general jurisdiction trial courts organized into

15 “vicinages.” In 1999, Administrative Director of the Courts Richard J. Williams believed in the need to focus on a single case management measure. The measure he contended was most important was backlog – cases that fall outside an established time standard. Judge Williams, having been the chief judge for a vicinage that incorporated both a small and medium-sized county, recognized the challenge, however, in comparing the backlog among the diverse districts.

The overarching importance placed on backlog led to the development of “Backlog per 100.” The measure assesses backlog while controlling for the number of filings; thus backlog in small, medium, and large courts can be compared despite differences in caseload volume. The formula [Backlog / (Most Recent 12 Months of Filings / 12) * 100] may seem esoteric but is rather simple when put into practice. For instance, consider its application to a criminal docket:

$$\text{June 2011 Criminal Division Backlog} / (\text{Criminal Division Filings between July 2010 and June 2011} / 12) * 100$$

$$[7,372 / (51,504 / 12) * 100] = 172$$

This indicates that there were 172 backlogged cases in June 2011 per every 100 average monthly filings between July 2010 and June 2011 – a ratio of 1.72 backlogged cases for every filing. The “Most Recent 12 Months of Filings” is a rolling number that corresponds with the current month. In June 2011, for example, backlog per 100 monthly filings consists of July 2010 through June 2011 filings as the denominator.

Table 1 shows the number of criminal filings for select districts ranked by backlog per 100. The data illustrates that the number and percentage of backlogged cases is not conclusive unless the filings are also considered. When all of these variables are taken into account, one can more accurately compare performance. For instance, Urban County A had the second largest number of backlogged cases in the sample, yet had the best backlog per 100 when controlling for the number of filings. Conversely, Suburban County B was on the lower end of the backlog spectrum but was ranked last. This suggests that given the volume of cases over the most recent 12 months, the backlog should be lower when compared to the other counties.

Table 1. Select New Jersey Counties Ranked by Backlog per 100

County Setting	Criminal Filings Year to Date	Active Pending	Backlog		
			N	%	Per 100
Urban A	4,271	1,275	443	35	124
Rural A	533	107	58	54	131
Suburban A	1,600	383	208	54	156
Rural B	1,256	505	177	35	169
Urban B	4,786	1,724	781	45	196
Suburban B	1,038	476	196	41	227

Is backlog per 100 the quintessential measure for comparing districts in a unified system? Perhaps, but it is not without limitations. There are two important aspects of the caseload that are not captured in the value. First, all backlog is not created equal. The backlog per 100 does not provide the relative age or complexity of cases older than the time to disposition guideline. These are critical factors in more accurately assessing the “health” of the backlog, which allow administrators to diagnose specific problems and make policy recommendations

and changes. Second, the spirit of competition (particularly in unified structures) can engender favorable outcomes, but goals are still paramount. Backlog per 100 simply compares jurisdictions but does not account for system failures because there is no established goal as depicted in the American Bar Association, Conference of State Court Administrators, and Model Time standards. Perhaps a ratio of no more than one-to-one should be the target; that is, jurisdictions should have less than one backlog case for every filing. Without a

goal, endemic problems can degenerate comparisons into differences in mediocrity, at best, and at worst, into which districts are performing poorly and more poorly. Much like democracies when comparing forms of government, backlog per 100 is the best statistic relative to other measures, but it is not the fifth element.

Dr. Giuseppe Fazari is the assistant trial court administrator for the Superior Court of New Jersey, Essex Vicinage. Contact him at Giuseppe.Fazari@Judiciary.STATE.NJ.US.



Join the NACM Early Career Professionals for a Webinar!

It Is All About the People Who Work in the Courthouse

with Judge Kevin Burke, District Judge in
Hennepin County, Minnesota

Wednesday, April 25, 2012 at 2:30 PM EDT

Tough budgetary times can mean lower morale at the courthouse. What can court leaders do to improve staff morale and, thus, the administration of justice? Join Judge Kevin Burke to explore steps for creating a fun and vibrant court workplace.

The webinar is free to NACM members and there is no need to pre-register.

To join the webinar on April 25, just follow this link:

<http://go.scoh.gov/webinar-04-25-12>

Questions? Contact Stephanie Hess at
Stephanie@nacmnet.org

MILESTONES



In November of 2011, Kelly Steele and her husband Randy made the move from Atlanta, Georgia, to Denver, Colorado, in pursuit of an exciting job opportunity with Randy’s employer, Siemens. Since making the move, Kelly has been working at the State Court Administrator’s Office in Denver as a court programs analyst, examining legislation for potential fiscal impact on the Colorado judiciary, as well as assisting in mandated strategic planning efforts and policy development and implementation of a new Child and Family Investigator certification process.

Vicky Carlson, court administrator for Carver County, Minnesota, and NACM general jurisdiction director, was elected president of the Minnesota Association for Court Management at their annual meeting in February.

