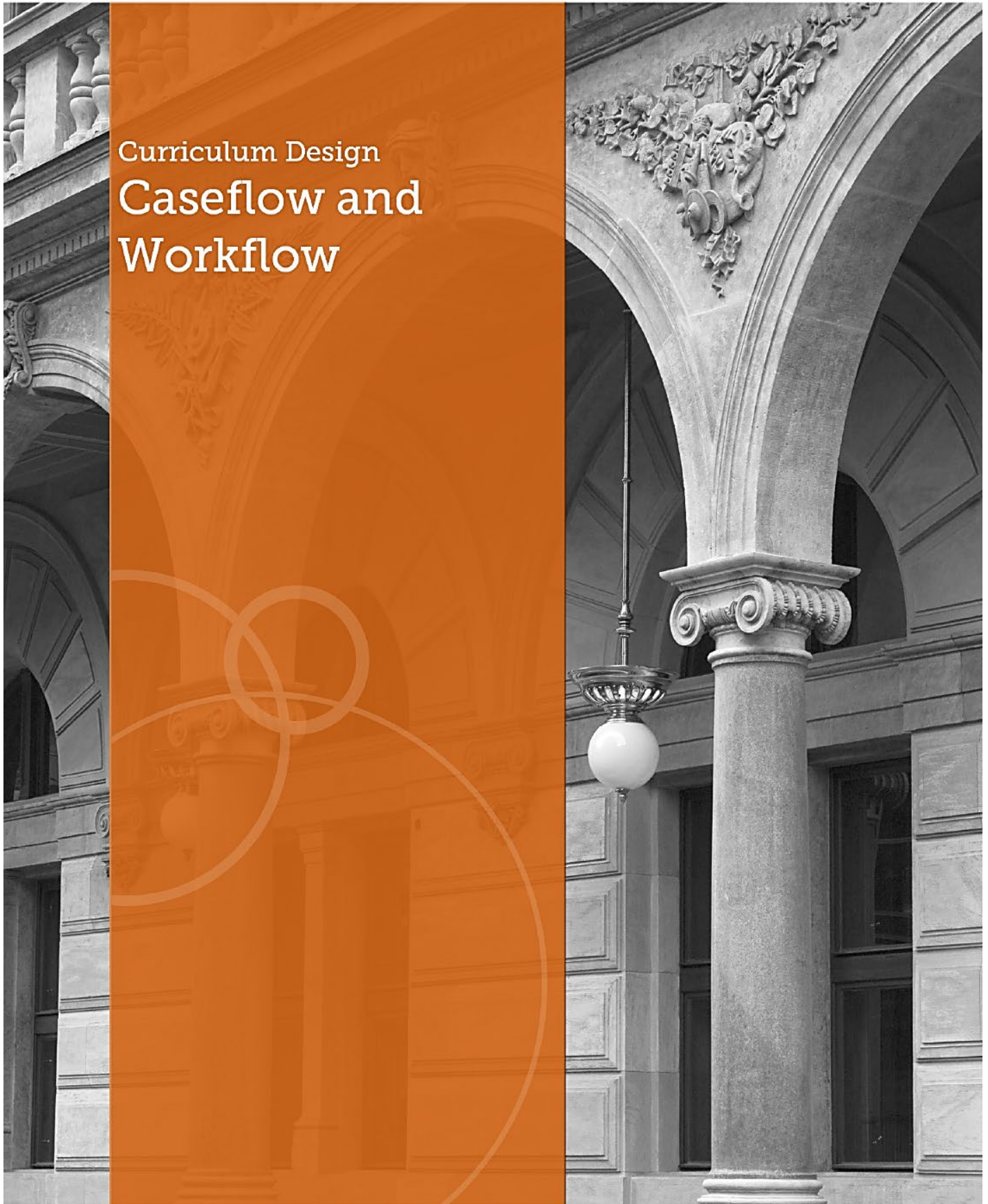




**CORE**<sup>®</sup>

National Association  
for Court Management

Curriculum Design  
**Caseflow and  
Workflow**



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## Use of Curriculum Design

Taken together, the curricula in this series provide an overarching plan for the education of court managers. Individually, each curriculum design and associated information provide faculty with resources and guidance for developing courses for court managers.

The designs are based on the NACM CORE®. Each of the curriculum designs may be used either in its entirety or in segments to meet the needs of the individual circumstance or situation, the particular audience, and time constraints, among many other contextual factors.

Each curriculum includes a series of learning objectives and educational content to support those learning objectives. Associated information for each curriculum includes: (1) faculty resources, (2) participant activities, and (3) a bibliography. Each faculty resource and participant activity includes information explaining its use. Also included in each is a section entitled "Special Notes to Faculty," which provides important information to assist faculty in effectively preparing to design and deliver a course, and a section entitled "Target Audience," which provides some guidance on which audiences are most appropriate for the curriculum design.

## Participant Activities

Participant activities have been designed to measure whether the learning objectives have been achieved. Activities include group and individual interaction. Information on participant activities includes how to use, direct, and manage each activity. Instructions may be modified for the audience and setting, but the highest goal is to integrate each activity into the learning process and the content of the course. Faculty should incorporate additional activities to ensure that participants remain actively engaged

throughout the course. Additional activities may include asking participants questions about the content, engaging them in sharing their experiences with the content, encouraging them to ask questions, and more.

## Faculty Resources

Faculty Resources provide written information and/or graphics that support certain content and may also be used as handouts for associated topics in the Educational Content.

Faculty Resources are a combination of resources referenced within the Educational Content and sample documents. They may be used in any course, but their applicability and use need to be determined by faculty, based on the topics, length of the course, audience, and other factors. Faculty Resources often include examples of documentation and other data that are time-based. Faculty members are encouraged to update time-based material as well as use material that is specific to the presentation and/or audience. As with the participant activities, faculty are encouraged to provide additional materials based on the needs of the participants.

## Needs Assessment

A needs assessment gathers information about the participants' proficiency on the topic of the session. Without a needs assessment, you may provide content participants cannot or will not use, or already know, or that fails to satisfy their expectations.

Assessing needs enables you to choose and deliver content with much greater accuracy. Conducting a needs assessment before your presentation may include a written survey or focus group discussion; and/or at the

beginning of your presentation, you may conduct an informal question and answer exercise or a short pre-test.

Using surveys or focus groups in advance of a course is preferred as it provides you with the opportunity to adapt and adjust your presentation to your audience in advance of the actual course. However, it is also advisable to use some time at the beginning of your presentation to seek information about your audience.

Whether or not you are able to conduct a needs assessment prior to the day of the session, the goal is to determine the essential knowledge, skills, and abilities the court managers who will be attending the session must have to perform their duties competently. Two key areas to explore are as follows:

- What level of knowledge, skills, and abilities do the participants currently have about the topic?
- What gaps in their knowledge would they like to close?

Questions enable the faculty member to make necessary adjustments to meet learning needs. If you find out that participants are much more knowledgeable about your topic than you had thought, you can adapt your presentation to a higher-level discussion. If you find that they are less knowledgeable, you can adapt your presentation to be more basic.

## NACM CORE<sup>®</sup> Reference

### Competency: Caseflow and Workflow

**Caseflow Management** is the process by which courts carry out their primary function of moving cases from filing to disposition.

The management of caseflow is critical because it helps guarantee every litigant receives procedural due process and equal protection.

**Workflow Management** involves the coordination and support of all tasks, procedures, resources (human and other) necessary to guarantee the work of the court is conducted efficiently and is consistent with the court's purposes and responsibilities. While Workflow Management includes Caseflow Management, it also includes all tasks and functions necessary for the court to operate as an organization.

## Learning Objectives

The following learning objectives are designed for a comprehensive course on caseflow and workflow.

As a result of this education, court leaders will be able to:

- 1a. Identify individual learning needs and objectives related to caseflow and workflow management
- 1b. Define the purposes of courts
- 2a. Identify the distinguishing and influential characteristics of local legal culture
- 3a. Evaluate the culture of public access with a focus on self-represented litigants
- 3b. Complete a detailed, systemwide evaluation of caseflow management strengths and weaknesses
- 4a. Describe caseflow and workflow management practices and understand the typical sequence of events in a case

- 5a. Consider different case handling and treatment options and evaluate the factors that may be present that influence adaptive caseflow handling techniques
- 6a. Identify calendaring systems and understand how judges use case management plans and orders to manage cases effectively
- 7a. Better understand and appreciate the court's role in effectively and efficiently managing its trial calendar through active case management and in establishing and enforcing trial expectations supporting overall caseflow management principles
- 8a. Evaluate caseflow time standards as a performance measure
- 9a. Apply high level diagnosis to determine caseflow management performance, and
- 10a. Consider problem-solving priorities and actions for their court and create a preliminary problem-solving list for caseflow and workflow management improvements.

## Target Audience

This curriculum design is suitable for a broad audience including elected and appointed court managers and staff with court-wide and departmental responsibilities as well as leadership judges from every jurisdiction and type of court. This content may be best suited for learners who have some experience in the courts. The best class composition is a mix of court managers and judges from similar jurisdictions and types of courts.

## Special Notes to Faculty

The educational content in the next section is the foundation of the Caseflow and Workflow curriculum design. It includes graphics that may be useful for a presentation, and numbered indicators for activities and faculty resources. The graphics often include references to illustrative examples, timelines, or data sets that are time-based. When planning a course, faculty should plan to update time-based materials as well as incorporate examples, data, scenarios that are pertinent to the specific audience.

Caseflow and workflow demand applied learning. Section 8 – Performance and Accountability, and Section 9 -- Information and Diagnosis, are best taught from the perspective of the state or court from which the participants are attending, or, for a geographically diverse audience, from a similar court. Wherever possible, and budget permitting, faculty should assemble sample data that illustrates standards, performance measures, and how they are used from participant courts or from a sample court. In other words, two dynamics may be initiated to make the learning process more effective, where feasible:

Faculty members are encouraged to learn about the local procedural rules, standards, and performance measures used by participant courts and organizations. If faculty can assemble comparable data from the local jurisdiction, it can be used to illustrate the principles and practices of caseflow management.

It is also important to help set expectations for the participants to have a good working knowledge of their system and caseflow. It may be helpful to request that participants collect and review caseflow information prior to the course.

Lastly, NACM is nondiscriminatory and is committed to a diverse, inclusive and equitable environment where all board members, members, volunteers, educators, and students feel respected and valued regardless of gender, age, race, ethnicity, national origin, sexual orientation or identity, disability, education, or other bias. NACM provides equal opportunity for participation in all areas of the Association. NACM respects the values that diversity of experiences brings

to the Association, leadership, and board while striving to listen to all points of view. NACM will increase public awareness of the benefits of diversity, increase the pipeline of minorities toward leadership within court administration, utilize broad selection criteria and procedures in leadership advancement, and include minorities in the leadership selection process.

## Educational Content

### Section 1 – Overview

#### Learning Objectives

As a result of this section, participants will be able to:

- 1a. Identify individual learning needs and objectives related to caseflow and workflow management; and
- 1b. Define the purpose of courts.

[See Activity 1A](#)

#### 1.1 Introduction to Caseflow and Workflow Management

Caseflow management and workflow management are foundational to modern judicial administration. Caseflow management refers to the continuum of processes and resources to move cases from filing to disposition.<sup>1</sup> Caseflow management has been described as “the heart of court management”<sup>2</sup> because it is tied directly to the role of courts and the court management profession.

Workflow management focuses on the “how” of court operations. It encompasses the broader set of operational activities. Effective courts manage both in tandem, aligning internal processes with external outcomes.

##### 1.1.1 Preview of Caseflow and Workflow Fundamentals

The fundamentals of caseflow and workflow management include the following practices:

#### **Fundamentals of Caseflow and Workflow Management**

- *Leadership and Commitment*
- *Clear Goals and Standards*
- *Early and Continuous Court Control*
- *Communication and Collaboration*
- *Efficient Processes and Resource Allocation*
- *Monitoring and Continuous Improvement*
- *Accountability and Consistency*

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1 Solomon, M. Caseflow Management in the Trial Court, American Bar Association Commission on Standards of Judicial Administration, 1973.

2 The term “the heart of court management” was used in a seminal work on caseflow management, by Steelman, D., Goerd, J. and McMillan, J. Caseflow Management-The Heart of Court Management in the New Millennium, National Center for State Courts, 2000, 2002, 2004, and available at [Caseflow Management: The Heart of Court Management in the New Millennium - Court Management - National Center for State Courts](#).

Each of these fundamentals is explained in this competency. Caseflow and workflow management are not optional skills – they are essential practices that enable courts to support the principal purposes and uphold the rule of law, access, fairness, efficiency, and transparency.

### 1.1.2 Embracing Transformation in Caseflow Management

In recent years, amidst a host of rapid changes (e.g., technological innovations, reductions in public trust and confidence, and increased cyber and physical security concerns) courts have shifted from incremental improvements to a transformative and proactive approach in caseflow and workflow management. Operational enhancements include interoperable case management systems, integrated electronic platforms, and artificial intelligence (AI)-enhanced support tools. Court leaders collaborate with various professionals to employ operational tools for efficiency and effectiveness. These tools *augment* – but do not replace – judicial decision-making, automating routine tasks and freeing court personnel to perform the important work of the court.<sup>3</sup>

## 1.2 Traditional Judiciary Goals and Evolving Practices

Court leaders best lead courts when they understand court purposes and promote vision and action within the court and justice community, all organized around the impact that caseflow and workflow management have on justice. The purposes and responsibilities of courts concepts were created in the late 1970's by Professor Ernest C. Friesen, to teach and explain why courts exist and elaborate on the importance of the role of the courts.<sup>4</sup> The purposes of courts are central to caseflow and workflow management.

Initially focused on procedural justice, access, outcomes, and public expectations, the purposes of the courts expanded over time to include other areas of emphasis<sup>5</sup>. The original purposes have recently been reinterpreted in light of current expectations. Traditional goals – such as providing individual justice in individual cases and a fair forum for dispute resolution – are now joined by objectives like *data-driven performance management* and *proactive case oversight*.

The table below aligns the purposes of courts with caseflow, workflow, and leadership implications, reinforcing why these goals are operational—not merely philosophical.

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3 Thomson Reuters. (2025, June 17). *How courts can use AI to improve and speed access to justice*. <https://legal.thomsonreuters.com/blog/how-courts-can-use-ai-to-improve-and-speed-access-to-justice/>

4 See Ernest C. Friesen, Purposes of Courts, American University, Judicial Programs Office, YouTube Video (2014), [The Purposes of Courts](#) and See also American University. (2014, March 31). *The Purposes of Courts* [Video]. YouTube.

5 For an expanded description of additional purposes, see Batty, K. (2016). It's time to expand the traditional "Purposes of Courts". *The Court Manager*, 31(4), 6-9. <https://thecourtmanager.org/wp-content/uploads/ncsc-courtmanager-31.4-winter.pdf>; and Flango, V. E. (2018). Purposes of courts reformulated. *The Court Manager*, 33(2). <https://icmelearning.com/pf/NACM-CourtManager-PurposesofCourtsReformulated-Flango.pdf>

### Purposes of Courts with Caseflow, Workflow, and Leadership

The Purpose of Courts	Caseflow, Workflow, and Leadership Implications
Promote justice in individual cases	Timely, accurate case resolution with appropriate processes
Ensure public perception of justice	Predictability, standardization, transparency, consistency in scheduling, coupled with clear communication
Provide an impartial forum	Neutral access, process integrity, bias mitigation
Protect against arbitrary government power	Procedural safeguards, process checkpoints
Provide formal record of legal status	Record accuracy and retention, case management system reliability
Deter criminal behavior	Timely, certain outcomes
Rehabilitate convicted individuals	Coordinated and integrated post-disposition workflow, integration with treatment and services, evidence-based practices
Separate individuals from society when necessary	Risk-based case handling, case review protocols
Protect vulnerable populations	Specialized case handling, trauma-informed design
Promote inter-agency coordination	Information sharing, alignment, cross-system workflow integration
Demonstrate accountability for public resources	Performance measurement and data-driven allocation

#### 1.2.1 Evolving Judiciary Practices

Court leaders set new goals to oversee caseflow and workflow, reduce backlogs via automated scheduling and triage systems, and improve public accessibility through user-friendly online services, while safeguarding operations with robust cybersecurity measures. Transparency and accountability are emphasized, with real-time dashboards and performance metrics giving feedback on case timeliness, clearance rates, and user satisfaction. AI-driven tools are employed to triage incoming cases by complexity or urgency, ensuring simple matters are fast-tracked while complex cases receive appropriate attention.<sup>6</sup> Predictive scheduling algorithms that learn from data are used to set hearing dates in ways to maximize appearance rates and minimize delays.<sup>7</sup> In sum, modern judicial administration seeks not only to *do justice* but to do so efficiently, transparently, and in a way that meets the expectations of a digitally fluent public.

[See Activity 1B](#)

### 1.3 Learning from History, Looking Ahead

An historical perspective reveals how caseflow management has evolved – and how past lessons inform present leadership and innovation.

- Early 20th-century critiques (notably Roscoe Pound’s 1906 address on the sources of delay) spurred reforms to improve upon inefficiencies, wasted resources and limited judicial

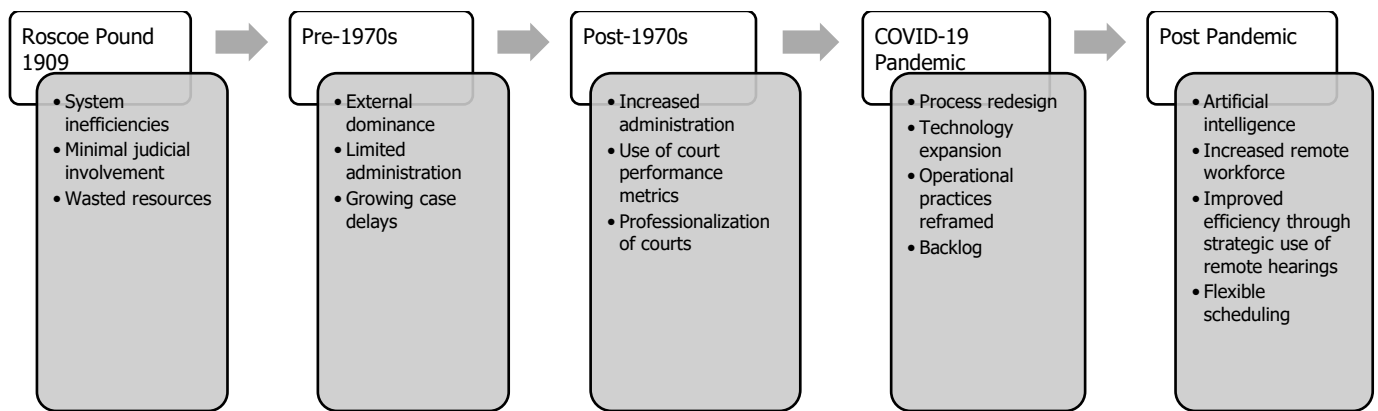
<sup>6</sup> Thomson Reuters. (2025, June 17). *How courts can use AI to improve and speed access to justice*. <https://legal.thomsonreuters.com/blog/how-courts-can-use-ai-to-improve-and-speed-access-to-justice/>

<sup>7</sup> Syracuse University. (2025). *Law professor’s research uses artificial intelligence to improve fairness of criminal court scheduling*. Syracuse University Today. <https://news.syr.edu/2024/08/14/law-professors-research-uses-artificial-intelligence-to-improve-fairness-of-criminal-court-scheduling/>

involvement, all of which led to caseflow principles like court control of schedules and early case monitoring.<sup>8</sup>

- By the close of the 1970s, the advent of professional court administration and studies like *Justice Delayed* had identified chronic problems (backlogs, “local legal culture” of tolerating delay) and recommended systematic solutions.<sup>9</sup>
- In recent decades, practices have included increased administrative roles, the utilization of case management systems, the spread of digital practices, and employment of different case management techniques to comply with time standards.<sup>10</sup>
- In more recent years, the COVID-19 pandemic forced courts to rapidly implement virtual technology, a change that illustrated positive effects on caseflow management (e.g., appearance rates and clearance of dockets).<sup>11</sup>

### Historical Framework for Caseflow and Workflow Practices



While applying historical lessons, court leaders preserve the judiciary’s fundamental mission and leverage new tools to enhance the delivery of justice through effective caseflow management.

8 Pound, R, “The Causes of Popular Dissatisfaction with the Administration of Justice” American Bar Association Reports 29, (1906).

9 Church, T. Jr., Carlson, A., Lee, J. Q., Tan, T., Chantry, Hon. K., & Sipes, L. (1978). Justice delayed – The pace of litigation in urban trial courts. *State Court Journal*, 2(4), 3-8 & 41-47. National Center for State Courts. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/justice-delayed-pace-litigation-urban-trial-courts>

10 Rau, L. M. (2019, December). *The Philadelphia experiment in civil case management – Journey from disaster to model court* [Masteral thesis, University of Nevada, Reno]. Resonate Mediation & Arbitration. <https://www.resonatemediation.com/the-philadelphia-experiment-in-civil-case-management-journey-from-disaster-to-model-court/>

11 National Association for Court Management. (2023, November 21). *Suburban and rural courts: Their perspective. Do remote hearings pose special challenges?* Court Leader’s Advantage Podcast Series. <https://nacmnet.org/portfolio-item/suburban-and-rural-courts-their-perspective-do-remote-hearings-pose-special-challenges/>

## Section 2 – Local Legal Culture

### Learning Objective

As a result of this section, participants will be able to:

2a. Identify the distinguishing and influential characteristics of local legal culture.

### 2.1 Defining Local Legal Culture

Local legal culture refers to the established expectations, practices, and informal rules of behavior among judges and attorneys in a community.<sup>12</sup> These shared norms shape how cases proceed in that jurisdiction – for example, whether deadlines are treated strictly or flexibly, or whether continuances are readily granted. Research has shown that the pace of litigation is influenced by legal culture rather than simply caseload size or other structural factors. Even courts with similar workloads can have very different speeds of case processing due to differences in attitudes and practices. This cluster of factors was dubbed the “local legal culture” in the seminal 1978 study *Justice Delayed*.<sup>13</sup> Today, local legal culture still encompasses traditional elements like professional courtesy, tolerance (or intolerance) for delay, and the level of formality in proceedings. However, the concept now extends to include a community’s readiness to adopt new technologies and innovations. For example, a court culture that values modernization will encourage e-filing, virtual hearings, and data transparency, whereas a more resistant culture might cling to paper processes and in-person-only interactions. An expanded definition of local legal culture thus includes not just local rules of practice but also the local mindset toward change – including digital literacy, openness to process improvements, and user-centric design of court services.

[See Activity 2A](#)

### 2.2 Cultural Influences

Certain values are universal across jurisdictions: all courts strive for fairness, integrity, and respect for the rule of law. These foundational tenets do not change from one place to another. Yet, local legal culture leads to unique adaptations in different courts. Examples include the following.

- Courts may pioneer innovations out of necessity – for instance, Philadelphia’s civil courts implemented a strict program of case management in the 1990s, pairing early judicial control with technology upgrades, and eliminated a massive backlog within three years.<sup>14</sup>

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12 See Church, T. W. Jr. (1982). *Examining local legal culture – Practitioner attitudes in four criminal courts*. National Institute of Justice. <https://www.ojp.gov/library/publications/examining-local-legal-culture-practitioner-attitudes-four-criminal-courts>

13 Church, T. Jr., Carlson, A., Lee, J. Q., Tan, T., Chantry, Hon. K., & Sipes, L. (1978). *Justice delayed – The pace of litigation in urban trial courts*. *State Court Journal*, 2(4), 3-8, 41-47. National Center for State Courts. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/justice-delayed-pace-litigation-urban-trial-courts>

14 Rau, L. M. (2019, December). *The Philadelphia experiment in civil case management – Journey from disaster to model court* [Masteral thesis, University of Nevada, Reno]. Resonate Mediation & Arbitration.

- Shared challenges like pandemic disruptions have also shown both commonality and variation: courts adopted remote hearings in 2020, but usage today varies with local preference. Some jurisdictions continue a high volume of virtual proceedings to expand access, while others have reverted mostly to in-person due to local comfort levels or infrastructure limits.
- Practicing attorneys often carry their expectations across neighboring courts, spreading cultural norms. Still, differences may persist; one court might pride itself on “rocket dockets” (case calendars intended to move cases quickly) and strict adherence to time standards, while another might informally allow cases to linger if parties do not press for trial.

Bridging the gap between universal standards and local practice is a key task for court leaders. National models (such as the *Model Time Standards for State Trial Courts*<sup>15</sup>) provide benchmarks for timely case processing, but each jurisdiction must *translate* those into procedures fitting its culture and determine how to institutionalize and standardize best practices.

Local legal culture may also influence caseflow and workflow practices. Courts may have adopted practices to schedule high volumes of cases on large dockets or by grouping types of cases or types of events. Complex or time intensive cases may be scheduled differently. While court size or staffing do not necessarily impact caseflow, differences in philosophies, resources, and formality of protocols may occur. The cultural mindset is key – courts that see constraints as opportunities for innovation tend to find tailored solutions that fit their context.

Court leaders have the ability to actively shape their local legal culture: by modeling behaviors that value timeliness and service, by educating the bar on new tools (like electronic calendars or text message hearing reminders), and by importing successful ideas from other courts tailored to local needs. Ultimately, recognizing and improving local legal culture is often the linchpin in achieving better caseflow outcomes – no reform will take root unless the people in the system embrace it. Court leaders are cultural architects, aligning new practices with local values and leading by example to gradually shift norms toward excellence.

### Section 3 – The Justice Universe

#### Learning Objectives

As a result of this section, participants will be able to:

- 3a. Evaluate the culture of public access with a focus on self-represented litigants (SRLs); and
- 3b. Complete a detailed, systemwide evaluation of caseflow management strengths and weaknesses.

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<https://www.resonatemediation.com/the-philadelphia-experiment-in-civil-case-management-journey-from-disaster-to-model-court/>.

15 Van Duizend, R., Steelman, D.C., & Suskin, L. (2011). *Model time standards for state trial courts*. National Center for State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1836>

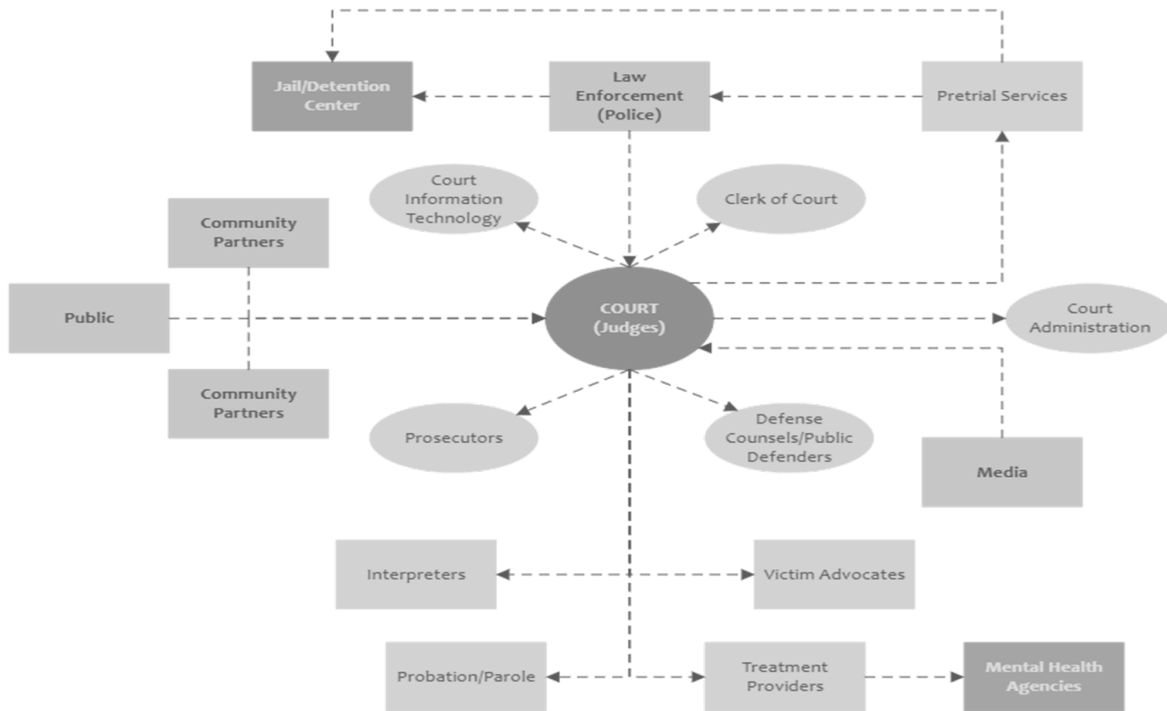
### **3.1 Viewing Caseflow in the Broader Justice System**

This section broadens the focus beyond internal court operations to the entire network of stakeholders and factors that influence caseflow and workflow. The “justice universe” encompasses not only the courts but also prosecutors and defense counsel, law enforcement, detention facilities, social services, the public, and funding authorities – all interconnected. Effective caseflow management requires understanding these interdependencies and engaging in cross-agency strategies, with interconnectedness, economic efficiency, stakeholder engagement, and technology utilization across the justice system.

### **3.2 Justice System Stakeholders**

Effective caseflow management recognizes all the players in the justice system. Beyond judges and lawyers, stakeholders include clerks, court IT staff, law enforcement (police, sheriffs for transport), jail officials, probation/parole, treatment providers (for problem-solving courts), interpreters, victim advocates, community groups, the general public, and even the media. This subsection advocates for mapping out who the stakeholders are in any given process and ensuring they have a voice when courts examine and improve workflows. For example, if a court is reviewing its felony case process from arrest to disposition, stakeholders would include the police (who handle arrest and evidence), the jail (holding defendants pretrial), prosecutors, defense counsel (including public defenders), pretrial services, etc. Court leaders may also consider holding feedback panels with defendants (with cases that have been concluded) and their families. It is important to identify which parts of the process each stakeholder controls or influences. Tools like stakeholder charts or process maps can help to visualize this “justice universe.” Modern business analysis techniques (like process mapping and stakeholder influence matrices) can be very useful – they help spot where delays happen and who needs to be engaged to fix them. For instance, if a bottleneck is identified in getting competency evaluations (which involve mental health services outside the court), then those external agencies must be part of the solution conversation. As shown in the figure below, the court operates within a network of interdependent actors, each relying on others to function effectively.

An Example of a Caseflow System of Interdependencies



Mapping the justice system reveals the interdependencies that shape court efficiency, fairness, and public trust. By clarifying each stakeholder’s role, influence, and impact on caseflow, courts can engage the right partners at the right moments to achieve meaningful and sustainable improvements.

### 3.2.1 Cross-Sector Collaboration

Once stakeholders are identified, the next step is forming a team or task force that brings them together to diagnose issues and implement changes. As noted above, Criminal Justice Coordinating Councils (CJCCs) serve this role for criminal caseflow. They convene judges, police chiefs, jail administrators, prosecutors, defenders, etc., under a common mission to improve the justice system. Similarly, civil or family courts might have bench-bar committees or family justice councils. Skipping over established bodies is usually unwise – it is better to work through existing committees (or strengthen them) than to create parallel structures that might breed turf wars. Therefore, engaging those bodies can lend authority and buy-in to caseflow changes.

Through partnerships, courts can identify, evaluate, and implement solutions that address barriers to effective caseflow and workflow. For example, in New York City, research institutions partnered with the New York City Mayor’s Office of Criminal Justice, Police Department, and the New York State Unified Court System Office of Court Administration to explore solutions to missed court dates. They redesigned New York City’s summons form and developed targeted text reminders, which led to meaningful reductions in missed appearances and associated

warrants.<sup>16</sup> In Spokane, Washington, the multi-agency *Integrated Case Management* project brought justice partners together to share a case management system which improved information flow and reduced redundant data entry.<sup>17</sup>

While not all inclusive, the chart below illustrates some of the participants that hold vital information and may provide feedback to inform leaders on caseflow practices.



### 3.3 Consultation with the Bar

The local bar and the practicing attorneys are integral to any caseflow improvement. Policies on paper mean little if attorneys do not buy in, since lawyers' behaviors (e.g., filing timely motions, honoring deadlines, preparing for conferences) directly affect case timelines. Courts with strong bench-bar relationships tend to innovate more successfully. Examples include:

- Creation of a justice coordination committee or council operating with clear objectives and regular meetings;
- Regular consultation via bench-bar committees;

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16 Crooke, B., Diop, B. Z., Fishbane, A., Hayes, J., Ouss, A., & Shah, A. (2018, January). *Using behavioral science to improve criminal justice outcomes. Preventing failures to appear in court*. Abdul Latif Jameel Poverty Action Lab (J-PAL). <https://www.povertyactionlab.org/evaluation/text-message-reminders-decreased-failure-appear-court-new-york-city>; <https://www.ideas42.org/wp-content/uploads/2018/03/Using-Behavioral-Science-to-Improve-Criminal-Justice-Outcomes.pdf>

17 Delaney, H. & Moore, M. (2023 August). Rising to the challenge: Deploying a multi-agency integrated case management system – the Spokane experience. *Court Manager*, 37(3). <https://thecourtmanager.org/articles/rising-to-the-challenge-deploying-a-multi-agency-integrated-case-management-system-the-spokane-experience/> (See also Journal Technologies. (2025, April 29). *City of Spokane turns to integrated justice*. <https://www.journaltech.com/customer-profiles/city-of-spokane-turns-to-integrated-justice> and Finance & Technology Committee Meeting. (2017, January 27). <https://static.spokanecity.org/documents/bcc/committees/finance-technology-committee/meeting-documents/2017/02/06/fintech-meeting-materials-2017-02-06.pdf>)

- Utilization of focus groups, or roundtables to educate and align caseflow initiatives;
- Creation of targeted workgroups to address caseflow and workflow challenges;
- Invitation to training meetings or retreats; and
- Leveraging and sharing technologies which are useful for effective practices.

Iterative and inclusive consultation with the bar helps to ensure program success. Rather than issuing top-down directives, court leaders now often engage attorneys in co-creating solutions. This enhances transparency and fosters a sense of joint ownership of court performance. Benefits may also be realized in greater understanding of case management plans, case scheduling practices, postponement (continuance) policies, and consideration of court caseflow performance data.

In Flagstaff, Arizona, the Superior Court created a Criminal Justice Coordinating Council (CJCC), which serves as a collaborative partnership to improve the effectiveness of the criminal justice system.<sup>18</sup> In Utah, the Judicial Council created an Online Dispute Resolution (ODR) Steering Committee comprised of attorneys, judges, court users, and court employees to work with the court IT department on a small claims ODR pilot project. The pilot's testing plan included collecting regular user and facilitator feedback to fine-tune the program before broader rollout.<sup>19</sup>

A culture of collaboration – where the court regularly communicates expectations, performance metrics, and solicits information for solutions – can transform adversarial inertia into cooperative progress. Court leaders are encouraged to embed consultation in their caseflow improvement cycles, making the bar a co-author of success. Email newsletters, webinars, virtual town halls make it easier than ever to keep a dialogue open with hundreds of attorneys at once, even in large jurisdictions. Court leaders advance best practices when they are systems thinkers, recognizing that a change in one part of the system (for example, a new bail policy or a prosecutor-led diversion program) can have ripple effects on court dockets and timelines. High-performing courts operate within a justice system where all players coordinate to achieve timely and fair outcomes.

### 3.4 Economics of Effective Caseflow and Workflow Management

Courts are increasingly expected to account for and demonstrate performance outcomes, sometimes with standards tied to funding. Legislative bodies and grant agencies desire results, for example resolving cases within time deadlines or demonstrating clearance rates, in exchange for budget support. It has become progressively important for court leadership to proactively define measures of success for caseflow and workflow oversight. If courts do not assert their own metrics, the local funding agency may impose metrics that can be inappropriate and counterproductive.

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18 See Coconino County, Arizona, [Criminal Justice Coordinating Council | Coconino](#).

19 Utah Online Dispute Resolution Steering Committee. (2017, December). *Utah online dispute resolution pilot project: Final report*. National Center for State Courts.

<https://ncsc.contentdm.oclc.org/digital/collection/adr/id/63/>

Courts and court leaders have found success in using tools like the NCSC's *CourTools*<sup>20</sup> to track performance, and gain trust and credibility. Section 8 includes caseflow and workflow measurement practices. The National Institute of Justice (NIJ) research noted that Montgomery County, Pennsylvania, experienced reduced transportation costs associated with video conference pretrial hearings, while also emphasizing that jurisdictions should assess 'cost shifting' (i.e., whether costs and savings accrue to different justice partners). Improved case processing was expected to reduce jail bed-days, with stakeholder agreement on tracking and reinvesting savings to sustain the strategy, including technology needs.<sup>21</sup>

Poor caseflow management has serious costs for other justice partners and the public. Examples include:

- Jail overcrowding, if pretrial detainees languish when their cases are delayed, local jails incur huge costs (housing, medical care, etc.). A court that disposes of cases within standards inevitably helps reduce these overburdened jail populations. Court managers benefit if they can quantify and audit the jail roster to identify how many inmates are waiting solely because of pending cases. By attending to those cases, courts can save jail costs and reduce needless detention.
- Law enforcement overtime (police officers spending hours in court for continued hearings), public defender workloads, and the community's costs (witnesses missing work for court dates that get postponed).
- Jury trial settings and juror utilization are negatively impacted if cases are continued or settled at the last minute. *CourTools* Measure 8, *Effective Use of Jurors*, highlights how careful calendar management can yield economic benefits.<sup>22</sup> By reducing the number of unused jurors through better call-off procedures or calendaring, courts save and create public goodwill.

A solid caseflow strategy is financially prudent for the whole justice system. Courts should articulate and illustrate these economic impacts when advocating for budgets, noting how effective caseflow and workflow practices avoid delays, reduce continuances, and save time and money. Timely justice is cost-effective justice: delays carry heavy costs for all stakeholders, whereas efficient caseflow builds public trust and saves money.

### 3.4.1 Digital Outreach and Transparency

To facilitate broad engagement, courts are using technology for outreach. Many post their caseflow statistics and data dashboards publicly or share them with the bar in newsletters,

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20 National Center for State Courts. (n.d.). *CourTools*. <https://www.ncsc.org/our-centers-projects/courtools>

21 Davis, R., Matelevich-Hoang, B. J., Barton, A., Debus-Sherrill, S., & Niedzwiecki, E. (2015). *Research on videoconferencing at post-arraignment release hearings: Phase I final report*. National Criminal Justice Reference Service. <https://www.ojp.gov/pdffiles1/nij/grants/248902.pdf> (see also National Institute of Justice. (2020, January 31). *NIJ's research on videoconferencing pretrial release hearings*. <https://nij.ojp.gov/topics/articles/nij-research-videoconferencing-pretrial-release-hearings>)

22 See National Center for State Courts. (n.d.). *CourTools*. <https://www.ncsc.org/our-centers-projects/courtools>

reinforcing a common understanding of the problems and progress. Some courts maintain an FAQ or practice guide for new attorneys about local caseflow procedures, which is updated through bar input. A noteworthy trend is that younger attorneys (and new law graduates) often expect more digital interaction; they appreciate quick online scheduling, text reminders of hearings, etc. Courts can capitalize on this by partnering with bar associations to host training on new systems (for example, a webinar co-sponsored by the bar on how to use the court's e-filing and scheduling system effectively). This both educates and signals that the court and bar are in this together. Consultation with the attorneys, the bar, and justice stakeholders reinforces that enduring improvements in caseflow will not happen in isolation – success requires bringing partners to the table, both literally and figuratively. The most effective courts treat attorneys not as external actors to be regulated but as stakeholders to be enlisted, leveraging their ideas and influence to smooth out the litigation process for everyone.

### 3.4.2 Role of Court Leaders and Administrators

While collaboration is key, clear leadership is needed to drive it. Principle 3 of the National Center for State Court's *Principles for Judicial Administration* states judges should focus on policy-level issues and delegate administrative duties to professional court administrators. This means a court's top judges should champion caseflow improvement as a policy goal (e.g. "we as a court commit to cutting average delay by 20%") and empower the court administrator to coordinate the working teams and stakeholder meetings to get it done.<sup>23</sup> Court administrators often serve as the bridge among stakeholders – they speak "court" but also understand operational details of clerks, IT, budgets, etc. The text notes the special role of the court administrator in convening and facilitating these cross-sector groups. A forward-looking practice is to use data dashboards accessible to all stakeholders: for example, a shared dashboard showing daily jail population, number of pending cases over time standards, number of people in treatment programs, etc., can keep everyone on the same page and focused on common metrics. Technology can aid stakeholder coordination: scheduling regular virtual meetings, using collaboration software to draft plans, and maintaining a centralized document repository.

In summary, courts function as part of a broader justice system. Improvement efforts must take a system-wide perspective. By inclusively mapping stakeholders, engaging them in joint problem-solving, and exercising leadership that spans across agency lines, court leaders can address root causes of delay that lie outside the courthouse walls (e.g., slow lab results, backlogs in public defender assignments, etc.). The "justice universe" approach reminds us that effective caseflow is everyone's responsibility, not just the judge in the courtroom.

[See Activity 3A](#)

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23 National Center for State Courts. (2012, July). *Principles for judicial administration*. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1891>

### 3.5 Self-Represented Litigants (SRLs)

#### 3.5.1 *Rising Numbers and Unique Challenges*

SRLs – individuals who go to court without an attorney – have become an increasingly significant portion of court users, especially in civil, family, traffic, and small claims matters. This requires courts to adapt caseflow management to ensure SRLs are not left behind. Traditional caseflow techniques assumed the participation of knowledgeable lawyers on each side; now courts face delays and issues when SRLs, unfamiliar with procedures, miss deadlines or appear unprepared. Key challenges with SRLs include: accessing the court (finding out how to file, what forms to use, paying fees); understanding procedural rules (knowing about service of process, evidence, etc.); and enforcing judgments or orders (needing guidance on collecting a judgment or complying with court orders). Caseflow management is best when it considers the extra assistance and time SRLs may require, without compromising efficiency or neutrality. Examples of some techniques include the following:

- Caseflow information and expectations. Judges on these dockets may take extra time to explain proceedings, and hearings might be less formal. This may entail scheduling pre-hearing orientations for SRLs (even via remote platform) on the day of court to review what will happen. These practices, while requiring time, ultimately can save time by reducing confusion during hearings and avoiding repeat appearances. Courts have created dedicated self-help dockets or calendars where cases with SRLs are clustered and additional time or assistance is provided.<sup>24</sup> Additionally, courts are simplifying forms and procedures (plain-language forms, translated versions, checklists for typical case steps<sup>25</sup>) – all of which contribute to cases moving without avoidable procedural delays. A particular focus is on compliance – ensuring SRLs understand orders and what is expected after a hearing. Thus, empowering SRLs through technology and targeted services is a win-win: improving access to justice and keeping the caseflow moving.
- Self-help, resource centers, and service assistance. One of the most promising developments is deploying a program and technology to assist self-represented parties. Courts are increasingly providing digital self-help tools: online document assembly programs, instructional videos, chatbots that answer frequently asked questions, and AI-driven legal assistants, or “virtual self-help clinics” where litigants can receive remote assistance from self-help staff or a volunteer attorney (e.g., via secure video consultations). Courts also use virtual assistants (website chatbots or guided interview tools) to provide legal information, help users find the right forms and instructions, and route users to appropriate services.<sup>26</sup> Self-help centers also take some burden off clerks and court

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24 The Washoe County, Nevada, Second Judicial District, has created a Resource Center where SRLs may access a variety of information, resources, and services; see [Resource Center - Washoe Courts](#) .

25 See also the NACM Guide NACM’s “Plain Language Guide,” 2019, available at the NACM Store, [Publications & Resources – National Association for Court Management](#).

26 Souza, A. & Zarnow, Z. (2024). *Court chatbots: How to build a great chatbot for your court’s website*. National Center for State Courts. Williamsburg, VA.

<https://www.ncsc.org/sites/default/files/media/document/Court-Chatbots.pdf> and Alaska Court System.

*Self-Help: Represent yourself.* <https://courts.alaska.gov/shc/index.htm> .

attorneys who otherwise spend time answering questions at the counter or on phone; this frees them to focus on case processing tasks. delivering justice. Companies are offering platforms that guide SRLs step-by-step guided pathways and simplified language for form preparation assistance, effectively walking a litigant through filing a case or responding to one.<sup>27</sup> By simplifying legal jargon and automating document creation, these tools reduce errors and omissions that typically cause delays (like rejecting a filing for missing information). Courts have found that when SRLs are better prepared, hearings are more efficient and fewer continuances are needed. Some jurisdictions also use interactive texting services – for instance, an SRL can text a keyword and receive updates on their case status or reminders of what to bring to their next hearing. Virtual court service centers can operate beyond traditional hours, giving working individuals help at their convenience. Embracing such technology lowers entry barriers to justice, making caseflow move smoother by preventing common SRL pitfalls.

- Digital and hybrid hubs for assistance. Courts are reinventing self-help centers with technology: offering virtual kiosks in community locations (like libraries or malls) that connect users with court self-help services via video; deploying chatbots on court websites that answer common questions 24/7; producing on-demand webinars or short videos on common case types (e.g. “How to file a small claim” or “What to expect at your eviction hearing”). Tools may include mobile apps that guide litigants through steps and push notifications for deadlines, meeting litigants where they are. The courts’ role is shifting from just being an arbiter of disputes to also being an information provider so that those disputes are resolved more efficiently and fairly.

[See Activity 3B](#)

## Section 4 – Principles and Practices

### Learning Objectives

As a result of this section, participants will be able to:

- 4a. Describe caseflow and workflow management practices and understand the typical sequence of events in a case.

### 4.1 What Is Caseflow Management

Caseflow management is the court oversight and supervision of all the steps, events, and progress, of all cases filed with a court. The main tenet of caseflow management is that the court should oversee and control the pace and progress of each case filed with the court.

Caseflow management includes court supervision of the case progress, management of the time and events necessary to move a case from the point of initiation (filing, date of contest, or arrest) through disposition, regardless of the type of disposition. Caseflow management also

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27 McGlynn, B. (2025, 8 July). *Cives to join NACM 2025 Annual Conference: Empowering courts through innovation and inclusivity*. Cives. <https://cives.ai/bloginsights/cives-to-join-nacm-2025-annual-conference-empowering-courts-through-innovation-and-inclusivity>

extends to cases in a post adjudication (or case reopening) status. Simply stated: caseflow management is the practice of paying attention to and managing the case progress and flow in the court, from start to finish.

## 4.2 What is Workflow Management

Workflow management relates to administrative processes. It is the oversight and management of practices and processes that support and allow for caseflow management to occur. Workflow management includes the steps, resources, staff assignments and tasks, and protocols that contribute to and comprise caseflow oversight.

Workflow management and caseflow management are interrelated. Practices for both are included in this section; while workflow management may not directly impact the adjudication of legal or procedural issues, it can certainly support and contribute to it.

Caseflow management as a court leadership concept was coined in the early 1970s in the United States as the profession of court management was developing. The rise of court management was the result of a number of factors: increasing case volumes, growing case complexities and backlogs, perceptions that courts were deferring to attorneys to control the movement of cases, and the need for professional and administrative oversight of the work of courts.

## 4.3 Caseflow Practices

Caseflow management itself includes a variety of practices and actions. These proven practices have been studied and documented over time. The chart below illustrates select caseflow management practices that have been enumerated and described.<sup>28</sup>

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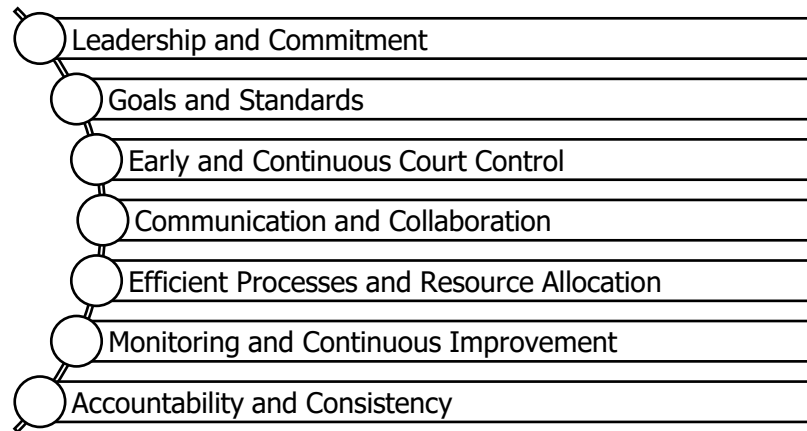
28 See Solomon, M. & American Bar Association. (1973). *Caseflow management in the trial court [Monograph]*. American Bar Association. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/caseflow-management-trial-court>; Mahoney, B., Aikman, A. B., Casey, P., Flango, V. E., Gallas, G., Henderson, T. A., Ito, J. A., Steelman, D. C., & Weller, S. (1988). *Changing times in trial courts*. National Center for State Courts. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/changing-times-trial-courts>; Hewitt, W. E., Gallas, G., & Mahoney, B. (1990). *Courts that succeed: Six profiles of successful courts*. National Center for State Courts. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/courts-succeed-six-profiles-successful-courts>; National Center for State Courts. (n.d.). *Caseflow management*. <https://www.ncsc.org/resources-courts/operations-governance/caseflow-management>; and Cornell, J. (2021, September - December). Caseflow management practices. *Court Leader*. <https://courtleader.net/2021/>

Select Caseflow Management Practices from the 1970’s to the Present

<b>Caseflow Practices</b> (Solomon, 1973)	<b>Courts that Succeed</b> (Hewitt et al, 1990)	<b>Fundamentals of Caseflow Management</b> (NCSC ICM, 2012)	<b>Caseflow Management Practices</b> (Cornell, 2021)	<b>Caseflow Best Practices</b> (NCSC, 2024)
<ul style="list-style-type: none"> <li>• Individual and collective judicial control</li> <li>• Continuing consultation with partners</li> <li>• Use of standards procedures for flow and processing</li> <li>• Adoption of a restrictive continuance policy</li> <li>• centralized caseflow management responsibility</li> <li>• Use of time/system performance standards</li> <li>• Continued measurement against goals</li> <li>• Periodic modification of practices</li> <li>• Monitoring case status from filing to termination</li> <li>• Use of techniques to minimize attorney conflicts</li> <li>• Coordination of caseflow by court leadership</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership and goals</li> <li>• Use of information</li> <li>• Judicial responsibility and commitment</li> <li>• Education and training</li> <li>• Backlog reduction and inventory control</li> <li>• Communications</li> <li>• Accountability mechanisms</li> <li>• Administrative staff involvement</li> <li>• Caseflow management procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership and vision</li> <li>• Consultation with stakeholders</li> <li>• Court supervision of cases</li> <li>• Use of standards and goals</li> <li>• Control of continuances</li> <li>• Early disposition of cases</li> <li>• Information and information systems</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership</li> <li>• Performance goals and targets</li> <li>• Case calendaring, assignment and events</li> <li>• Caseload inventory and backlog monitoring</li> <li>• Early, regular, and continuous oversight</li> <li>• Dispute resolution and settlement practices</li> <li>• Collaboration and outreach with partners</li> <li>• Communication, education, and training</li> <li>• Information sharing</li> <li>• Utilization of technology</li> <li>• Performance measurement</li> <li>• Performance management</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership and collaboration</li> <li>• Proactive and flexible case triage</li> <li>• Effective resource allocation</li> <li>• User-centered process</li> <li>• Data-driven performance management</li> </ul>

Today’s caseflow best and proven practices include seven key areas.

### Caseflow and Workflow Best Practices



Each of these practices is noted below along with tangible actions to consider:

#### **Leadership and Commitment by Judges and Administrators**

- Having clear judicial and administrative leadership,
- Publishing and disseminating a mission and vision statement,
- Modeling the principle that delay is unacceptable,
- Cultivating teamwork across the court,
- Setting a clear direction,
- Fostering a learning culture, and
- Maintaining flexibility in leveraging new challenges.

#### **Clear Goals and Standards**

- Articulating time standards and expectations for case processing,
- Aligning court goals and expectations with the fundamental purpose of delivering justice fairly and promptly,
- Applying benchmarks such as the Model Time Standards for State Trial Courts and court performance metrics, and
- Issuing administrative orders.

#### **Early and Continuous Court Control**

- Managing cases from the outset,
- Intervening early and maintaining oversight throughout,
- Using specialized or differentiated case management (DCM),
- Tailoring oversight to manage case complexity, and
- Ensuring simple cases are resolved quickly and complex ones are managed properly.

#### **Communication and Collaboration**

- Training judges and staff about caseflow and workflow practices,
- Communicating with attorneys, litigants, and justice partners,
- Communicating internally among court staff,

- Interacting with bench-bar committees, law enforcement, and justice stakeholders, and
- Facilitating meetings to align expectations and focus on reducing delay.

### **Efficient Processes and Resource Allocation**

- Providing well-designed procedures for daily court operations and workflow management,
- Standardizing forms, automating reminders, and integrating case management system functions,
- Using measures to evaluate practices and staffing,
- Streamlining routine tasks toward reducing errors, and
- Allocating judges and staff to ensure resources meet demand, and bottlenecks minimized.

### **Monitoring and Continuous Improvement**

- Using data to monitor performance by tracking clearance rates, time-to-disposition, and pending caseloads,
- Adjusting practices and using continuous improvement, and
- Applying an iterative cycle of feedback, assessment, and innovation to refine systems over time.

### **Accountability and Consistency**

- Using accountability measures at every level with judges, attorneys, and staff for consistency,
- Promoting adherence to schedules and policy consistency (e.g., continuance rules, scheduling practices),
- Assessing caseflow practices against stated goals, rules, and policies,
- Measuring caseflow to assess efficiency, effectiveness, procedural satisfaction, and productivity, and
- Maintaining predictability and public trust via this accountability and consistency.

These practices are fully achievable. Court leadership - involvement of judges and administrators - forms the backbone of success. One example is the North Dakota courts, which embarked on caseflow and workflow improvements. What began as research for an Institute for Court Management (ICM) project became a statewide effort to evaluate, address, and transform caseflow and workflow management.<sup>29</sup> Among the findings and actions emanating from and reiterated by the ICM Research and an evaluation conducted by the National Center for State Courts were the following:

- Importance of leadership and goals;
- Use of a caseflow management committee and channels for communication;
- Defined caseflow management procedures and expectations;
- Absolute focus on and having data to measure caseflow practices;

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29 For background information see Hutton, K., [How one ICM Fellows project transformed a state's caseflow management system & a career | National Center for State Courts](#) (2017), and Ostrom, B. J., Ph.D., Racek, Judge, F. Freeman, K.R., Ph.D., Monaghan, R., Ph.D. "The Fair and Timely Resolution of Criminal Cases, North Dakota's Transformational System of Caseflow Management," National Center for State Courts, [ND-report-2024-FINAL.pdf | Powered by Box](#), [Enhancing criminal caseflow management in rural communities | National Center for State Courts](#), (2024, September).

- Utilization of real-time and accessible caseflow performance metrics;
- Involvement of staff and applying a systemic approach; and
- Evaluation of caseflow outcomes against clear standards.

As illustrated by the example in North Dakota, the overarching themes of effective caseflow management are leadership, teamwork, and ongoing evaluation and improvement. Key characteristics and leadership dynamics that make these themes possible include:

- Communication;
- Cooperation;
- Commitment;
- Feedback; and
- Program modifications using incremental and continuous improvement.

Broadly speaking, the various caseflow best practices apply to all case types – from traffic and ordinance, landlord tenant, to civil, criminal, family, probate, and juvenile. Practices apply in general and limited jurisdiction courts, in appellate and trial courts, in complex and simple cases, in large and small courts, and in urban and rural courts. Activities such as ensuring early court intervention, having meaningful events, establishing reasonable timeframes for events and disposition, result in a judicial system that is predictable and understandable to all users of that system. In a predictable system, counsel will work to be prepared, there is less need for continuances or adjournments, and court leadership has greater ability to effectively allocate staff and judicial resources.<sup>30</sup>

A predictable and regulated flow for each case from filing to disposition (e.g., caseflow practices) achieves important goals in addition to expeditious and timely disposition. When court management oversees case progress as part of an organized and predictable system, it provides:

- Equal treatment of all litigants by the court;
- Timely disposition consistent with the circumstances of the individual case;
- Enhancement of the quality of the litigation process;
- Effective use of court time through meaningful events;
- Minimization of uncertainties in case processing; and
- Public confidence in the court as an institution.

Caseflow and workflow management practices also closely relate to capabilities of measuring and managing workloads. The NACM CORE® competency on Accountability and Court Performance further elaborates on how to measure, and this material will be discussed in Section 8 of this curriculum.<sup>31</sup> Both caseflow and accountability help a court seek optimal or high performance. The National Center for State Courts has published information on High

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30 State Court Administrative Office, Michigan Supreme Court. (2013, October). *Caseflow Management Guide*. <https://www.courts.michigan.gov/4acb2e/siteassets/publications/manuals/casefile/cfmg.pdf>

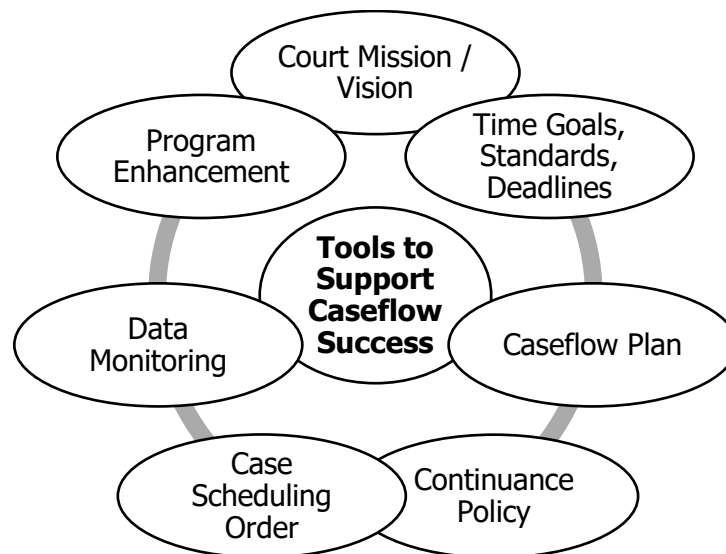
31 Refer to Section 8 for principles and practices on accountability and performance measures.

Performance Court Framework.<sup>32</sup> That framework notes the importance of measuring and managing for efficiencies, effectiveness, productivity, and procedural satisfaction.

Tools to support successful caseflow and workflow practices include:

- Court vision and mission statement;
- Time goals, standards, and deadlines;
- Caseflow or case management plan with expectations, events, timelines/deadlines, and terminology or definitions;
- Continuance or postponement policy;
- Case scheduling order;
- Data monitoring and sharing; and
- Program and system enhancement.

#### Tools to Support Caseflow Success



#### 4.4 Research on Case Handling and Caseflow

Research has also enumerated practices that are useful based upon specific case need. Studies have clarified caseflow and workflow practices present for many years and in studies on court efficiencies. The following charts enumerate findings from this research in civil, criminal, family court, responses to mental health, and application to High Performance Court Framework concepts.<sup>33</sup>

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32 Ostrom, B. J. & Hanson, R. A. (2010). *High performance court framework: A roadmap for improving court management (Visual summary – Final)*, National Center for State Courts.

<https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/2040>




33 For access to full sources and resources, see National Center for State Courts. *Caseflow management*.

<https://www.ncsc.org/resources-courts/caseflow-management>

### The Application of Effective Caseflow Management Principles

Application of Effective Caseflow Management Principles					
	1. Leadership & Collaboration	2. Proactive & Flexible Triage	3. Effective Resource Allocation	4. User-Centered Process	5. Data-Driven Performance Management
Effective Criminal Case Management	Effective leadership/governance; communication and collaboration	Early court intervention/control of path	Effective scheduling and calendaring; clear roles for judges and staff	Predictable and productive court events	Goals and information management
Civil Justice Initiative	Strong leadership and stakeholder involvement	Triage/proportionality	Case management teams and staff training; effective technology support	Court enforcement of procedural justice; process simplification	Performance measurement and transparency
The Cady Initiative for Family Justice Reform	Training and stakeholder partnership	Triage	Problem solving approach; identify and strengthen community partnerships	Problem solving approach; involve and empower parties; courts are safety and trauma responsive	Data collection, evaluation, technology innovation
National Judicial Task Force to Examine State Courts' Response to Mental Illness	Strengthen community responses and minimize criminal justice system involvement	Institutionalize alternative pathways to treatment and recovery and improve outcomes	Promote early intervention and effective management of court cases	Promote early intervention and effective management of court cases; manage post-adjudication events and transitions effectively	Facilitate evidence-based practices across systems
High Performance Court Framework	Managerial culture	Treating cases proportionately	Exercising judicial control over the legal process	Individual attention (person-centered); procedural fairness	Performance measurement and management

Research on Caseflow Management Practices

Research on Caseflow Management Practices Three NCSC Research Findings, Lessons, and Recommendations <sup>34</sup>		
	<p>Cady Family Justice Initiative</p> 	<p>Effective Criminal Case Management</p> 
<p><i>Provides a roadmap for cost control, delay reduction, and fairness for civil litigants</i></p>	<p><i>Provides courts with validated and data-informed strategies for improving family court/domestic relations cases</i></p>	<p><i>Largest effective criminal caseflow management practices utilized in state courts</i></p>
Recommended Caseflow Practices		
<p>Practices</p> <ol style="list-style-type: none"> <li>1. Take responsibility for managing civil cases from filing to disposition</li> <li>2. Match resources with case needs</li> <li>3. Use mandatory pathway assignment system for right-sized case management</li> <li>4. Implement a streamlined pathway for cases with uncomplicated facts/issues</li> <li>5. Implement a complex pathway for cases with multiple legal and factual issues, many parties, or require close court supervision</li> <li>6. Implement a general pathway for cases that do not need streamlined or complex assignment</li> <li>7. Develop case management teams of judges and staff</li> <li>8. Provide case management training for judges, staff, and lawyers</li> <li>9. Establish judicial assignment criteria that are objective, transparent, and mindful of judges' experience</li> <li>10. Take advantage of technology</li> <li>11. Devote attention to high volume dockets</li> <li>12. Manage uncontested cases for steady, timely progress to resolution</li> <li>13. Take steps to increase convenience to litigants and simplify court-litigant interaction and assistance</li> </ol>	<p>Practices</p> <ol style="list-style-type: none"> <li>1. Use problem solving approach:               <ol style="list-style-type: none"> <li>a. Empower parties</li> <li>b. Use non-traditional adversarial methods</li> <li>c. Use safety and trauma informed practices</li> <li>d. Provide information and assistance</li> </ol> </li> <li>2. Triage case filings and use pathway assignments               <ol style="list-style-type: none"> <li>a. Use service-based pathways</li> <li>b. Streamlined and tailored services</li> <li>c. Specialized pathway</li> </ol> </li> <li>3. Provide training and stakeholder partnerships               <ol style="list-style-type: none"> <li>a. Training for stakeholders</li> <li>b. Identify and strengthen community partnerships</li> </ol> </li> <li>4. Utilize data collection, evaluation and technology innovation               <ol style="list-style-type: none"> <li>a. Improve data collection, analysis and use</li> <li>b. Collect and analyze user-evaluation metrics</li> <li>c. Implement innovative and appropriate technology</li> </ol> </li> </ol>	<p>National Results Indicate:</p> <ol style="list-style-type: none"> <li>1. Court policies and practices affect timeliness of cases</li> <li>2. Becoming a high-performance court starts with gathering information to appraise the results of current practices, make changes, and measure progress toward court goals</li> <li>3. Courts are more alike than different</li> <li>4. What works in successful courts can be used in other courts</li> <li>5. All courts have the potential to manage criminal cases effectively and improve how justice is served</li> </ol> <p>Elements of Effective Caseflow Management</p> <ol style="list-style-type: none"> <li>1. Ensure leadership and governance</li> <li>2. Seek early court intervention and control</li> <li>3. Have predictable and productive court events</li> <li>4. Use goals and information management</li> <li>5. Use communications and collaboration</li> </ol> <p>Lessons Learned</p> <ol style="list-style-type: none"> <li>1. Provide clear expectations</li> <li>2. Use early resolution</li> <li>3. Have early appointment of counsel</li> <li>4. Use plea cutoff date practices</li> <li>5. Use trial date certainty</li> </ol>

<sup>34</sup> Content adapted from Institute for Court Management. (2021). *Caseflow and workflow management (Virtual course)*.

## 4.5 Additional Practice Considerations with Caseflow and Workflow Management

Additional practices and considerations are vital to include and manage as part of the overall leadership of caseflow and workflow management practices.

### 4.5.1 Common Terms and Definitions

A number of terms may be used with caseflow and workflow management. Some are interchangeable, and the use may vary based upon local court culture and policies. Readers should become familiar with the common terms in use in their court and related policies:

- Continuance
  - Resetting, rescheduling, adjourning to a new date, postponing, setting over, or holding over of a court event
  - Moving an event to another date
- Adjournment
  - Moving an event to another date
  - Ending or concluding a particular hearing or event
- Adjudication or disposition
  - Determining the dispute outcome (for example, guilty/not guilty, liable/not liable, responsible/not responsible)
  - Ordering the final conclusion, termination, or closure of a case
  - Sentencing or directing final terms and conditions in a case
- Post adjudication, post disposition, post-order, or post-decree
  - Events or court settings that occur after a final case order
  - Ongoing actions for court monitoring of actions
- Stakeholders or justice partners
  - Those who have an interest in case handling and caseflow practices
  - Government or private agencies that may provide information, resources, or services to the court or case parties

### 4.5.2 Leadership and Collaboration

Caseflow success relies upon strong leadership and collaboration. This includes leadership and collaboration with and among judges, leadership between judges and court administrators, amongst all court staff, and leadership with justice agencies and partners. Coordinated leadership and collaboration can lead to successful deployment of caseflow techniques noted in this chapter. Leadership supports the use of techniques such as:

- Documented caseflow management goals, policies, and procedures;
- Scheduling orders, notices of hearings, and documents;
- Pretrial or trial readiness expectations and deadlines;
- Continuance policies and practices;
- Orientation and education on caseflow expectations - internally with court personnel and externally with justice stakeholders; and
- Utilization of caseflow performance measures.

Sample documents and policies are included in the faculty resources.<sup>35</sup> Among the samples are a caseflow management plan and a continuance policy.

The resulting leadership team approach will contribute to:

- Increased motivation and commitment of judges, court administrators, and court staff;
- Abilities to withstand operational stress;
- Generation and sustenance of energy;
- Increased levels of interest and enthusiasm;
- Different perspectives in problem solving; and
- Success when reviewing performance measures.

The administrative judge and leadership team should:

- Set the tone;
- Be committed and demonstrate attention to caseflow practices;
- Involve other judges, other agencies, staff, and court administrators;
- Establish and document court-wide policies;
- Establish partnerships with other justice and community stakeholders;

Characteristics of successfully managed courts include:

- Accountability and transparency;
- Persistence and consistency;
- Willingness to initiate and sustain change; and
- Evidence-based decision making

#### 4.5.3 Proactive and Anticipatory Management

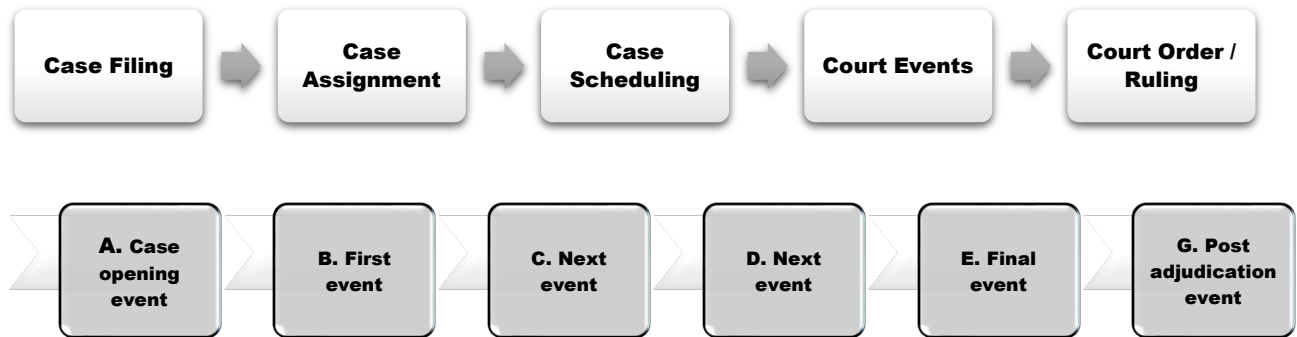
Proactive caseflow management means that the court and case participants understand what is to occur at all stages as the court oversees cases. It includes sharing caseflow management expectations, and orienting court users on expected processes, events, documents, and timing for cases filed at the court.

Two charts below illustrate examples of caseflow, progress, activities, and events. Creating and sharing charts such as these with judges, administrators, case parties, and justice partners leads to common understanding of caseflow management expectations. Simply, it ensures that everyone has the same playbook and is on the same page.

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35 See criminal examples at National Center for State Courts. (2024, November). *Pandemic rapid response team: Criminal caseload backlog reduction learning collaborative series*. <https://www.ncsc.org/sites/default/files/media/document/RRT-Criminal-Backlog-Reduction-Learning-Collaborative-Resources-Final.pdf>

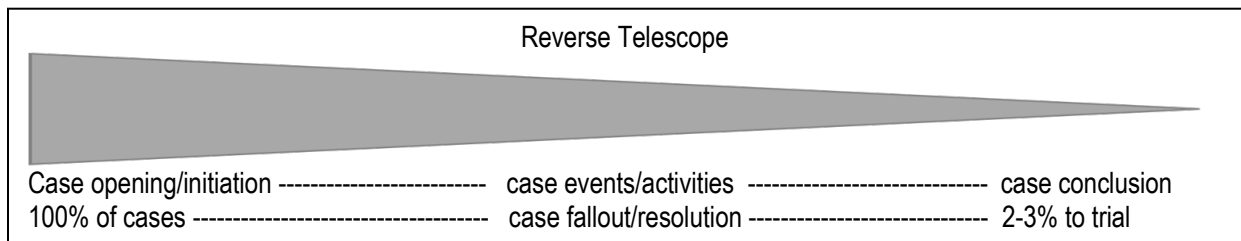
**Sample Case Flow Charts**



In addition to understanding the sequence, flow, and timing of events, caseflow management involves working to move cases closer to final resolution or adjudication without unnecessary delays. Most cases do not need a trial or final contested event. Effective caseflow management anticipates events and timelines to assist cases in moving toward conclusion. In fact, case oversight may span into post adjudication, post order or decree, or monitoring of ongoing events, actions, or filings. Thus, caseflow includes oversight and measurement of pre and post adjudication actions.

The chart below illustrates what has been called the “reverse telescope.”<sup>36</sup> This chart shows the collection of cases filed at the court. It shows that most fall out of the system or resolve along the path or sequence of court actions and events. Only a small number of cases remain in the system and need a court trial. Effective caseflow management anticipates events and timelines to assist those cases in falling out of the system.

**Caseflow Management Reverse Telescope Concept**



In using caseflow techniques, court leaders benefit by assessing which practices are needed, at a given stage of the case, and which can be selected for future consideration and utilization.

*4.5.4 Utilization of Performance Standards and Measurement*

Often courts underestimate the importance of system outcomes and their impact on perceptions and the community. Accountability, predictability, and transparency are hallmarks of effective justice and do not undermine judicial autonomy and decision-making. The results of measures and standards include:

<sup>36</sup> An additional example of a reverse telescope is also found in Section 9, Information and Diagnosis.

- Accountability for performance;
- Regularity and predictability;
- Consistent case management; and
- Reduction of delays and backlog.

The use of performance standards, measures, and data supports court leadership in knowing how caseflow is working. Standards are also a means of goal setting. They are often used by courts and other organizations as a benchmark to measure performance. Standards also promote regularity and predictability. Finally, performance data informs court leadership on the health of caseflow management within a court and identifies areas for improvement.

The fundamental components of goal setting with performance metrics may be represented in the "SMART" acronym (where performance data are specific, measurable, attainable, relevant, and time bound). SMART Caseflow performance measures include the use of a variety of performance tools:

- Objective performance time standards and goals, for example the Model Time Standards as published by the National Center for State Courts<sup>37</sup> where time goals and targets are defined;
- Macro measures or standards that provide broad data on the system or collection of cases that make up the workload. Macro standards promote expedition and timeliness, motivate leadership, judges, and staff, organize case management systems, stimulate new programs and procedures, and provide internal and external accountability;
- Micro measures inform on the individual case level, and help judges and staff effectively manage each case, including helping to set expectations and deadlines for litigants and attorneys; differentiate cases for appropriate attention; identify and manage exceptional or anomalous cases; and increase regularity in adjudication among judges and judicial officers;
- Targeted or focused measures evaluate performance in specific areas, for example specific programs or specialty court dockets. Targeted performance measures complement macro and micro standards and examine performance in discreet areas of caseflow, often based on local priorities; and
- Backlog evaluation measures, which inform a court on the degree to which cases are slowing or stalled within the expected sequence and timeline.

**Performance Standards for Expected Outcomes**

Performance Goals and Standards or Benchmarks for Expected Outcomes	Macro - for the system as a whole
	Micro - for individual dockets and cases
	Targeted - for key or focused performance areas

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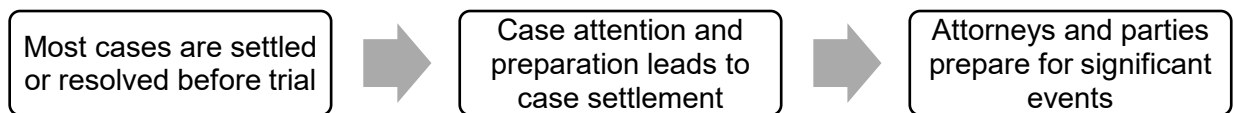
37 Van Duizend, R., Steelman, D.C., & Suskin, L. (2011). *Model time standards for state trial courts*. National Center for State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1836>

Section 8, on Performance and Accountability, covers these measures further.

Three underlying premises or axioms support caseflow practices. Research has shown that the vast majority of civil and criminal cases are resolved by settlement or plea. Disputes and conflicts settled without adversarial litigation are often less stressful and result in faster resolution and satisfaction of the underlying complaint. If litigants and attorneys know of the court’s expectations to move cases to resolution, the parties will:

- Settle or resolve most cases without needing a trial;
- Settle cases when they are prepared for a court event; and
- Prepare for significant events expected by the court.

**Premises and Axioms Supporting Caseflow Practices**



4.5.5 Case Handling and Dispute Resolution Protocols

Caseflow management includes programming in opportunities for cases to identify and narrow the issues in dispute, or to fully resolve cases without needing a trial. This can be done by having clear case assignment practices and understandable expectations about what is to occur at each stage of case litigation. Courts have created processes to help move cases along toward final resolution.

Case calendaring and assignment is one of the process methods. Three options are noted here, but many variations may be used: individual, master, and hybrid:

- Case assignment to an individual judge or docket from case filing to final closure – the individual calendar system;
- Centralized, coordinate, or master assignment of cases to a specific judge or team of judges centrally and early in the life of the case, and subsequent assignment to another judge for specific case actions or stages, or for trial – the master or centralized calendar system; and
- Case assignment using a hybrid system with some combination of the individual and master structure.

**Case Calendaring Methods**

Individual	Case assignment to an individual judge or docket from filing to final closure – the individual calendar system
Centralized or Master	Assignment of cases to a specific judge or team of judges centrally and early in the life of the case, and assignment to another judge for specific case actions or stages, or for trial – the master calendar system and
Hybrid	Case assignment using a hybrid system with some combination of the individual and master structure - the hybrid calendar system

Section 6 reviews calendars and scheduling protocols in greater detail and depth.

Many different case treatment or dispute resolution practices have developed over the years. The chart below illustrates some options for dispute resolution that litigants may consider.<sup>38</sup>

### Case Dispute Resolution Processes

Dispute Resolution Process	Elements and Description
Arbitration	Private party/arbitrator makes decision on case Parties present respective cases for consideration Process is quicker and less formal Decision may be binding or nonbinding
Case Evaluation	Private parties present case to experienced neutral evaluator Evaluator advises parties on case strengths and weaknesses Parties may use feedback to reach a mutually agreeable result
Collaborative Law	Collaborative out of court settlement Parties and their lawyers try to reach an agreement
Cooperative Practice	Parties and lawyers begin the case (pre filing) with common commitment of creatively settling all issues Processes are flexible and may be formal or informal, orally or in writing If no agreement is reached, a mediator may be hired
Court Appointed Neutral	Court appointed neutral supervises those under court order for adherence to order terms and reports to the judge
Divorce Coaching	Professional divorce coaches provide support, motivation, and goal-oriented process to guide parties to decisions
Early Neutral Evaluation	Case referral to a neutral expert soon after case filing Expert provides balanced and unbiased evaluation of dispute
Family Group Conference	Meeting between members of a family or kinship Goal is to make a plan to stop abuse or other ill treatment Objective is to resolve the issue without leaving decisions to legal authorities
Mediation	Private mediator helps parties discuss dispute issues Process is usually voluntary Mediator does not have power to make decisions Process is flexible and may be formal or informal Process may involve joint or separate meetings
Mini Trial	Use of a private, consensual setting with brief presentations of the case as if at trial Case presentations are observed by a neutral advisor and representatives from each side, who have authority to settle If no settlement, the neutral may serve as mediator
Multi Door Program	Cases are referred by the court to appropriate options for dispute resolution Goals are to provide parties with easy access to justice and reduce delay
Negotiation	Voluntary and informal process where parties identify issues of concern, explore options, and search for an agreement Disputing parties and their attorneys participate without a neutral
Neutral Fact Finding	Neutral third party, selected by the court or parties, investigates the issues and reports or testifies to the court
Ombuds	Representative who advocates on behalf of a designated constituency May perform investigation within professional standards of practice

38 Content adapted from the American Bar Association. (n.d.). *Dispute resolution overview*. ABA Section of Dispute Resolution. Reprinted by permission of the American Bar Association. All rights reserved.  
[https://www.americanbar.org/groups/dispute\\_resolution/resources/overview/](https://www.americanbar.org/groups/dispute_resolution/resources/overview/)

Parenting Coordination	Court appointed neutral who supervises to ensure adherence to the court order and work out problems in compliance May accompany peace officers Reports to the court
Pro Tem Trial	Court appointed attorney to serve as a temporary judge for a trial Each side will follow the same rules and legal procedures as a trial Temporary judge will make a decision
Private Judging	Disputing parties retain a neutral person as a private judge to hear the case and make a decision Private judge is usually a former judge with expertise
Settlement Conference	Meeting where the assigned judge presides over the process Goals include settling the case before trial Third party neutral assists the parties to explore settlement options
Summary Jury Trial	Attorneys for each side make presentations to a mock jury, party representatives, and a judge/magistrate Mock jury renders an advisory verdict that may lead to settlement
Unbundled Legal Services	Licensed lawyers on specific tasks or representation for clients Tasks may include evaluation, research, advising, informing about court processes, appearing in court

#### 4.5.5 Utilization of Technology

Technology in courts has an increasing role and prominence. Technology plays a part in effective caseflow management. Among the uses of technology are:

- Case recordkeeping and tracking;
- Litigant access and party provision of information to the court;
- Notification from the court to the parties and generation of information, reminders, documents, and details about court events;
- Digital evidence presentation;
- Remote or virtual access to court events and hearing;
- Court performance measurement and issuance of court outcome metrics; and
- Artificial intelligence (AI) to review case filings for case triage, scheduling, routing, compliance, and data extraction – with AI use to automate routine or mundane tasks, freeing staff for more complex work.

The importance of technology cannot be overstated, as it is increasingly present at all stages of a case, and in all court functions that support caseflow actions. It is also continually evolving with new methods for adoption and utilization.

#### 4.5.6 Participation of Partners and Stakeholders

While the court can aggressively lead caseflow management, it still needs the participation of partners and stakeholders. This participation may be in the form of information sharing (via meetings, documents), education and orientation from the court about case handling expectations, and opportunities to obtain feedback from those impacted by caseflow practices. This does not mean the court hinders leadership goals, but instead works for communication, collaboration, and direction sharing. The tangible techniques for successful caseflow practices will be made stronger from interaction with partners.

[See Activity 4A](#)

## Section 5 – Adaptive Case Handling

### Learning Objectives

As a result of this section, participants will be able to:

- 5a. Consider different case handling and treatment options and evaluate the factors that may be present that influence adaptive caseflow handling techniques.

### 5.1 Adaptive Case Handling – Meaning and Elements

As covered in the section on Principles and Practices, case handling practices and techniques have been developed to address case (and party) needs and to move cases more efficiently from initial filing to final conclusion. Over the years, researchers and courts have evaluated, learned, and practiced additional techniques based upon knowledge with cases and experiences.<sup>39</sup>

Cases filed in different courts vary based upon court rules and jurisdiction. Some courts are responsible for certain subsets of case types (for example, limited jurisdiction courts) and some may oversee a broader group or all types of cases (general jurisdiction courts). Court leaders have learned that different types of cases present different levels of case need, and different complexities. Different services may be effective as part of the overall objective of positioning the case to move to final conclusion and adjudication.

While all cases follow a high-level sequence of events from filing to final adjudication, different case needs benefit from different treatment, processing actions, steps, events, and timelines that may be useful for caseflow processing. Application of these techniques may be used for a single type of case, for the full group or collection of cases at a court or applied to any category or type of cases. Examples of these case types include:

- Civil – general, summary, small claims
- Criminal felony or misdemeanor
- Family court of domestic relations
- Probate, guardianship, conservatorship, or commitment
- Adoption
- Juvenile dependency and delinquency
- Traffic and ordinance
- Protective order filings
- Post disposition/conviction/judgment

These different cases, and the issues brought to a court, may necessitate different levels or types of actions or services. Examples of factors are included here.

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39 For full review of caseflow management, see Steelman, D. C., Goerdt, J. A., & McMillan, J. E. (2004). *Caseflow management: The heart of court management in the new millennium* (3<sup>rd</sup> printing with revisions). National Center for State Courts.

<https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1498>

**Examples of Differentiators Useful for Evaluating Cases**

<input type="checkbox"/> Case type or case subtype <input type="checkbox"/> Length of trial <input type="checkbox"/> Number and types of parties	<input type="checkbox"/> Legal issues in dispute <input type="checkbox"/> Length of discovery <input type="checkbox"/> Media or public interest
<p style="text-align: center;"><u>Civil System Differentiators</u></p> <input type="checkbox"/> Self-representation <input type="checkbox"/> Power balance <input type="checkbox"/> Mediation or arbitration likelihood <input type="checkbox"/> Novel or specialized legal issues <input type="checkbox"/> Case complexity or volume of legal issues, ex: multi district litigation, medical malpractice, mass-torts, special litigation (water or land disputes)	<p style="text-align: center;"><u>Criminal System Differentiators</u></p> <input type="checkbox"/> In-custody defendant <input type="checkbox"/> Self-representation <input type="checkbox"/> Violation of probation/parole <input type="checkbox"/> Prior diversion <input type="checkbox"/> Probability of plea <input type="checkbox"/> Indigency <input type="checkbox"/> Evidence testing
<p style="text-align: center;"><u>Family System Differentiators</u></p> <input type="checkbox"/> Self-representation <input type="checkbox"/> Family history <input type="checkbox"/> Parenting <input type="checkbox"/> Abuse or violence <input type="checkbox"/> Substance abuse <input type="checkbox"/> Education history <input type="checkbox"/> Complex business holdings	<p style="text-align: center;"><u>Juvenile System Differentiators</u></p> <input type="checkbox"/> Family history <input type="checkbox"/> Parenting <input type="checkbox"/> Education <input type="checkbox"/> Representation <input type="checkbox"/> Abuse or violence <input type="checkbox"/> Substance abuse <input type="checkbox"/> Violations of juvenile probation/parole

**5.2 Adaptive Case Handling Practices**

Predicates to any specialized or adaptive case processing practices include these items:

- Presence of case assignment systems with clear protocol on how cases are assigned to judicial officers;
- Use of time goals, standards, and expectations for case processing;
- Knowledge of different case types, needs, and differentiators;
- Publication of documented and shared/disseminated case handling protocols and policies;
- Processes and practices for represented and self-represented parties; and
- Ability to track, measure, and monitor case progress.

Among those reviewed in this section:

- Differentiated case management or DCM;
- Pathways approach; and
- Hybrid or customized processing.

Underlying premises of adaptive case handling include: established criteria and tracks or paths for processing, identification of timelines and goals; early judicial control and the use of review or status dates at defined mileposts; short scheduling of continuances based upon minimal time needed by attorneys or parties; and expectation that events will occur as scheduled.

*5.2.1 Differentiated Case Management*

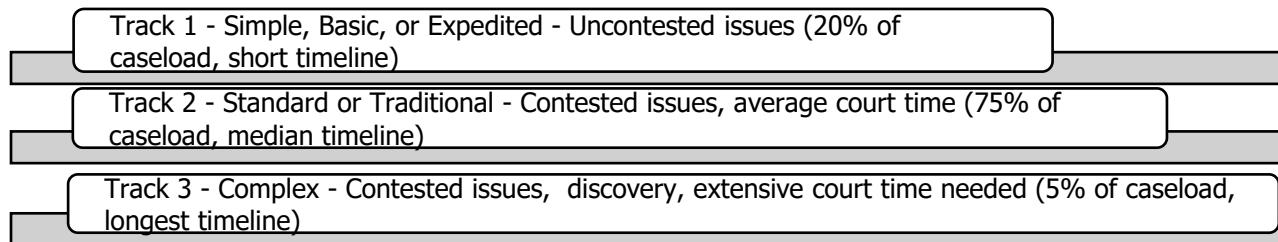
Differentiated case management or DCM refers to the process of modifying or differentiating case handling processes based upon case need. Multiple tracks or processing lanes are used in this process.<sup>40</sup> Within each case track, the court remains responsible for overseeing, calendaring, court events, and monitoring case progress, even though the duration of a case may vary.

Track #1 is the quickest track with fewer events and shorter timeframes. Case need and complexity is minimal with limited necessity for court time and resources. The target cases for this track should equal around 20% of the caseload type or group.

Track #2 is for cases that have contested issues needing moderate time for court attention and events. The target number of cases for this track is 75%.

Track #3 is for those cases needing extensive court and judge time due to the complexity and number of legal issues. The target number of cases for this track is 5% or less, recognizing that only those cases most in need of the full expanse of services go on this track.

#### Differentiated Case Management Tracks



#### 5.2.2 Pathways Approach

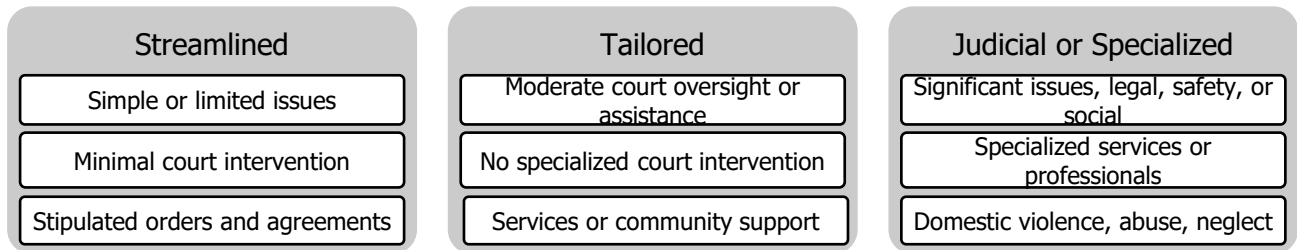
The pathways approach is similar to DCM and has its roots in the types of intervention and support needed. Research leading to the pathways approach was conducted on family court cases. Evaluation of litigant and case needs led to a modified track process, commenced with early evaluation and screening to determine which track will provide needed services.

The pathways are illustrated with the following descriptors.

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40 Bureau of Justice Assistance. (1993, February). *Differentiated Case Management*. <https://www.ojp.gov/pdffiles/difb.pdf>

### Case Pathway Descriptions



#### 5.2.3 Hybrid or Customized Processing

As the name implies, hybrid or customized processing is simply some combination or modification of DCM or the pathways techniques, whereby the events and time expectations are provided to the parties.

### 5.3 Additional Elements to Consider with Specialized Case Processing

Regardless of the adaptive case handling practice used, court leaders need to ensure that the processing protocols are documented in policies, timelines, and forms, and that processing expectations are clearly provided to the attorneys and litigants.












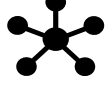

Similar to the primary caseflow management practices, several items are vital for inclusion in any specialized case handling process:

- Case assignment systems
- Goals, time deadlines, schedules
- Events, settlement activities/services
- Case documents
- Time standards
- Case evaluation, triage, and review
- Justice partners
- Access and self-help services
- Staffing and staff expertise
- Tracking and monitoring protocols

Additional clarification is needed on the differences between regular or standard dockets, specialized calendars, specialty courts, DCM, and pathways processing.

- With general calendars, a mix of case events and types may be scheduled at the same time, for example a mix of hearings with first appearance, motions, pre-trials, and trial events.
- With specialized or special calendars, events may be grouped by what is to occur at that time, for example, dedicating time to only arraignments or only motions.
- For specialty courts, the entire docket or calendar is dedicated to the defined case type of event (for example, drug court).
- For DCM programs and pathways programs, early case evaluation and identification of case need leads to a prescribed set of events, time targets, and case progress toward conclusion.

**Differences: Calendars, Specialty Calendars, Specialty Courts, DCM, and Pathways**

Docketing and Calendars	Specialty Calendars	Specialty Courts	Differentiated Case Management	Triage and Pathways
 A A A A B B B B C C C C 	 A A A A A A A A A A A A 	  	  	  

[See Activity 5A](#)

**Section 6 – Calendars and Scheduling**

**Learning Objectives**

As a result of this section, participants will be able to:

- 6a. Identify calendaring systems and understand how judges use case management plans and orders to manage cases effectively.

**6.1 Calendaring Systems**

Different calendaring practices have been employed to schedule and organize cases for court events. Calendaring may involve assigning a group of cases to a single judge, scheduling cases to go before an initial judge prior to a judge at the trial stage, delegating cases for oversight by a group or team of judges, or, using a combination of these techniques. Each is explained below.

Individual Calendaring. In this structure, cases are randomly assigned to a judge at initial filing and that judge retains case oversight for all court hearings and case progress. The judge maintains their own calendar and cases follow that judge from start to finish. Individual assignments may be extended to include post-adjudication matters and one family/one judge systems (for example, family, juvenile delinquency, and dependency cases).

Characteristics of the individual calendar system include:

- Cases assigned to a judge at the time of initial filing at the court;
- Assigned judge retains autonomy and responsibility for case events and case progress;
- Individual accountability falls to the assigned judge and the judge retains “vertical responsibility” for all events;
- Competition between different judges may arise surrounding caseflow performance;
- Motion practice is judge and case-based;
- Continuity and familiarity are present due to a single judge overseeing a single case;

- Judge shopping may be mitigated through the use of random assignment;
- Delay may occur if the assigned judge is unavailable or the caseload is backlogged;
- Courts may use backup judge coverage or assignment to cover for the assigned judge; and
- Individual calendaring may be utilized frequently in smaller courts.

Centralized (or 'Master') Calendaring. Cases are assigned and hearings and trials are scheduled from a single central office. Movement from the initial judge or judges typically occurs after early case events, and case assignment for a dispositive event may occur the day of the hearing or trial. One judge may, for instance, be assigned a motions calendar for cases across the whole court. The judge assigned to trial is ultimately accountable for the outcome of the case.

Characteristics include:

- Central assignment processes, coordination, and oversight are used;
- Judges are assigned to preside over prescribed case stages or events;
- Cases may be assigned to a pool while awaiting action, at which point individual judge assignment may occur, commonly when the case is ready for trial;
- Centralized or master assignments require collective responsibility across multiple judges;
- Continuing consultation may result among members of the bench;
- Standard, common, or agreed-upon case procedures and postponement policies may result;
- Joint accountability for performance may be more visible;
- Useful for judges with different strengths and styles of interaction;
- Potential for increased flexibility and efficient courtroom utilization;
- May result in less continuity when cases move from one judge or group of judges to others;
- Attorneys may dislike lack of certainty as they appear before multiple judges; and
- Process may be used in courts with larger numbers of judges or in courts that can segregate cases by case stage (for example, first appearances in criminal cases, misdemeanor or traffic violations, where early events occur on a docket with other cases at the same stage).

Team or Hybrid Calendaring. In this calendaring practice, features of individual and centralized models are used. Judges may work in teams. Cases may rotate but stay within the team. Or the team may have one judge who handles specialty hearings and dockets (for example, discovery and motions hearings). Many variations exist, and they are only limited by court leadership and organization culture.

Characteristics include:

- Team or hybrid practices are often seen in larger courts with multiple judges;
- Team accountability may be increased and encouraged;
- Judges may have less frustration from having a single docket, or particular calendar types;
- Communication and coordination of team or hybrid practices is needed; and
- Positive elements of both primary calendar types can be employed.

Regardless of the calendaring process selected, communication, leadership, clear expectations, and protocols for caseflow performance are still required. In courts with larger numbers of

judges, assignments by case type or department and rotations may occur (for example once a year), necessitating increased administrative coordination. Finally, the importance of monitoring and measuring performance can help court leaders determine the performance outcomes from calendaring practices, or if modifications needed.

### Calendaring Systems

Model	Description	Advantages	Challenges
<b>Individual</b>	Cases follow one judge from start to finish	Continuity; accountability	Delays if judge unavailable
<b>Centralized (formerly Master)</b>	Cases scheduled from a central office	Efficiency; flexibility	Less continuity for litigants/attorneys
<b>Team/Hybrid</b>	Judges share cases within a team	Shared responsibility; flexibility	Requires coordination

### Court Examples of Calendaring Systems

Jurisdiction	Calendaring Model	Technology Use	Challenges
Las Vegas Justice Court (Limited)	Centralized/High-volume, CMS-integrated	CMS, automated orders, online access	Volume management, continuity for litigants
Philadelphia (General/Urban)	Team/Hybrid with strong case management reforms	Dashboards, team scheduling, automation	Complex caseload, bar coordination
Cook County, IL (General/Urban)	Hybrid with specialty divisions	Integrated e-filing, specialty court CMS	Large caseload, fragmented systems
Harris County, TX (General/Urban)	Dynamic CMS, dashboards, smart scheduling	AI pilots, predictive analytics, eDiscovery	High complexity, resource allocation
Rural Courts	Individual calendaring with flexibility	Video hearings, state-level CMS support	Resource shortages, geographic access
Appellate Courts	Panel-based, structure by statutory deadline	Appellate CMS (C-Track), strict timelines	Volume of appeals, strict statutory controls

In addition to the structured calendar systems noted here, courts may want to consider other techniques to include:

- Integrating calendars and scheduling within the CMS, to include real time updates, structured and ad hoc reports;
- Establishing access to dashboards court staff and appropriate justice partners;
- Providing access to attorneys and SRLs, where appropriate and with security provisions;

Such as system ties the various steps and stages of caseflow and workflow management within one system, with access and trigger points where appropriate.

[See Activity 6A](#)

## 6.2 Case Management Plans and Scheduling Orders

Case or caseflow management plans (CMPs) are used to proactively project the progress expected within a case or groups of cases. CMPs and scheduling orders on cases are designed to establish attorney and litigant expectations and to set guidelines for case management on each case. Courts grant varying amounts of latitude to parties to modify or customize case management plans.

The heart of a caseflow management plan includes:

- Setting forth and explaining caseflow expectations;
- Stating and defining key terminology used as the court oversees caseflow;
- Establishing deadlines for the completion of events;
- Setting milestones for actions, compliance, and status checks;
- Monitoring to ensure that deadlines are met; and
- Strategically planning for corrections when cases do not meet the deadlines.

Case Management and scheduling orders are often used when issued at a court event called a scheduling or case management conference. Scheduling orders may be issued to the parties or attorneys at the first scheduled event if a settlement or plea is not reached. Postponement policies may be incorporated into scheduling orders. Information that should be included in all scheduling orders includes the following:

- Case number
- Other pending or related cases
- Presiding judge
- Proof of service or notice of dismissal rules
- Parties and attorneys
- Dates for all significant court events (settlement conference, pretrial conference)
- Motion cut-off dates
- Number of witnesses
- Jury or bench trial request
- Trial date certain or trial pool date (may be added later in the process or treated as an expected date without calendaring)
- Estimated length of trial

Sample Case Management and Scheduling Orders are included in the documents section of this curriculum.

## 6.3 Meaningful Events

Courts that excel at caseflow management ensure that hearings are substantive, and not merely perfunctory or repetitive. The court culture should encourage early preparation and meaningful events as a strong catalyst.

- Hearings should resolve or narrow issues, or advance the case to the next stage;
- Every court event should have a clear purpose and function;
- While a case remains open, future dates are useful to check case status;
- Events, hearings, or trials, should be used to move the case forward to conclusion; and
- Events, when used properly promote early case attention and resolution, and avoid cases reaching dismissal or settlement close to or on the day of trial.

Reasons that meaningful hearings take place on scheduled dates include:

- Use of cut-off dates for motions, evidentiary hearings;
- Commitment to estimated trial length;
- Scheduling backup dockets or hearing venues to ensure cases proceed; and
- Utilization of management information and tracking.

Reasons that meaningful hearings may not take place on scheduled dates may include:

- Poorly trained lawyers and scheduling conflicts;
- Too many cases being scheduled on judge and lawyer calendars;
- Cases being scheduled too early;
- Poor use of dispute and settlement practices; and
- Parties not being prepared.

#### **6.4 Management of Continuances**

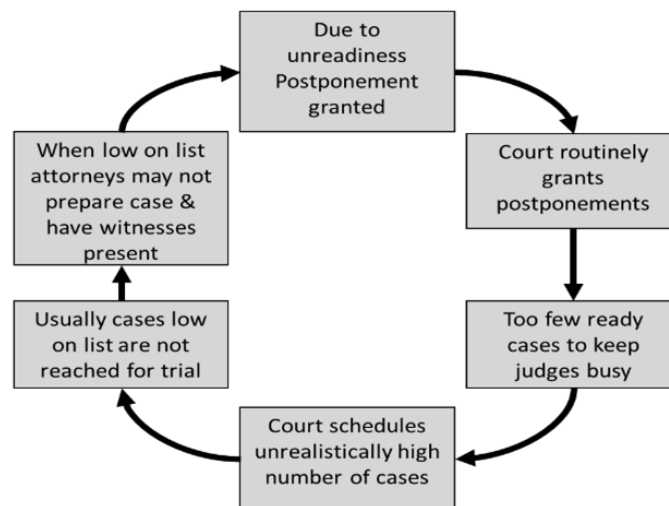
Management of continuances (postponements, set-overs) is a vital element in success caseflow and workflow practices. Without attention to these continuances, case resets and delays can easily result. Courts that consider this a priority and establish policies surrounding when and why cases may be continued, will have fewer numbers of needless delays. Among successful actions to manage and limits, are the following actions:

- Establish meaningful trial and hearing dates. If parties, lawyers, witnesses, and experts believe the case will proceed as scheduled, they will prepare. Preparation minimizes the need for continuances.
- Use formal continuance policies. Embed continuance policies in scheduling orders and in the caseflow management plan. These steps will support the parties having awareness of expectations. If local or state procedural rules define a baseline for postponement, link the court practices to those policies.
- Create a formal process for continuances to be requested, for example, deadlines for making the request and requiring a request to be made in writing with specific reasons.
- Prescribe specific exceptions for continuances but avoid wide latitude, to avoid proliferation of requests to reset cases.
- Train and explain continuance expectations for both lawyer-represented parties and SRLs.
- Monitoring case progress. Track continuance reasons and rates to see if attorneys, litigants, judges, and staff are complying with and enforcing policies. Monitoring elements include:
  - Who requested the continuance. This may be on a case-by-case basis, may be court-wide, or may be the result of watching for patterns of usage by parties.
  - Reasons for continuances. The reasons for continuance are crucial to the policy. Good cause reasons need to be clearly defined and made stricter as a trial date is approaching.
  - Timing for continuance request. Tracking timing for these requests may also help the court further explain and enforce continuance expectations.
  - Practices by judges in allowing continuances.

- Review for judicial practices and fidelity to the established policy and provide education regarding the policy, while elaborating on sources for good cause in moving events, and holding attorneys and litigants accountable to the policy.

Reviews of continuance policies from other courts will assist court leaders in creating a policy that fits with the court culture, rules and overall caseflow goals.

### The Postponement (Continuance) Conundrum <sup>41</sup>



Additional techniques useful to avoid continuances include the following:

- Scheduling for meaningful hearings. Continuances undermine timeliness. Courts should adopt strict policies limiting continuances without good cause;
- Identifying challenges and factors. The ability to understand common causes such as attorney conflicts, witness availability, incomplete discovery, or judicial scheduling conflicts, can help a court gain control over rampant requests for continuance. Examples of factors may include attorney conflicts or resource shortages;
- Determining the levels of flexibility appropriate in continuance policies. Some cases (family, juvenile) may require flexible scheduling to accommodate children or urgent safety issues; and
- Leveraging digital tools. The ability to use the CMS for notes, flags, alerts, or triggers can help a court identify repeat continuance requests, generate delay reports, and integrate with analytics to enforce accountability.

## 6.5 Discovery

Discovery is the process of uncovering relevant facts through identifying witnesses, documents, and other items that can lead to establishing facts as admissible evidence as a case progresses.

<sup>41</sup> Solomon, M. & American Bar Association. (1973). *Caseflow management in the trial court [Monograph]*. American Bar Association. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/caseflow-management-trial-court>

As part of caseload management, active court control over this stage can also reap benefits. Judge involvement to oversee and direct the process, while maintaining attention to deadlines and within applicable rules can support the pace and flow of a case, and aid in resolving disagreements. Such involvement and judicial oversight may result in fostering communication between the attorneys and parties, promoting uniform practices, and avoiding unnecessary delays.

Litigation and discovery may be difficult for SRLs. Judges and court staff who are prepared to address and manage these challenges may avoid inequities between SRLs and attorney-represented litigants. Examples include the following:

- Striving to have clear communication with the parties about obligations to move cases;
- Noting and identifying time constraints and evidentiary issues that may need to be addressed;
- Explaining the requisite information and steps needed by the judge to make a decision; and
- Using written orders to memorialize decisions and expectations in writing.

As with all aspects of caseload and workflow management, the actions taken to be clear about goals and expectations support the legitimacy of and confidence in the legal system.

## Section 7 – Trial Management

### Learning Objectives

As a result of this section, participants will be able to:

- 7a. Better understand and appreciate the court's role in effectively and efficiently managing its trial calendar through active case management and enforcing trial expectations supporting overall caseload management principles.

### 7.1 Trial Date Certainty

For caseload practices to be effective, case participants must be able to rely on the certainty that a trial date will occur on the date it is scheduled to occur. If postponements are not limited to the fullest degree possible, a court system cannot manage their inventory effectively and confidence in reliability is lost. Cases tried to a trial verdict constitute a small percent of dispositions on average across the U.S.<sup>42</sup> No matter the methodology a court uses to schedule trial dates, the main focus must be considering the certainty that the date will not be postponed because the court cannot accommodate the scheduling due to lack of resources. Courts that monitor trial date certainty may find it necessary to modify trial scheduling procedures, embark on caseload training, and address cultural changes among judges, staff, the bar, and the SRL population.

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42 Historical caseload research has indicated that about 1-5% of cases filed actually proceed to trial. One source on federal cases noted that 2% of cases are disposed by trial [Only 2% of federal criminal defendants went to trial in 2018 | Pew Research Center](#)

- Setting trial dates early. Some courts schedule all cases for trial at proof of service or very early in the life of a case in order to focus litigants and attorneys on an end date. A major goal of this approach is to promote early resolution without a trial. This introduces scheduling complexities as cases are disposed leading up to a trial date. Because dates were set so early there is a chance that schedules could be disproportionately overloaded or light as cases are being disposed leading up to the date set early in the life of the case.
- Setting trial dates when ready. Some courts schedule cases for trial only after a pretrial conference, or after an event at which attorneys declare readiness for trial. This method is often referred to as an attorney driven system as opposed to a court driven system. Although this method allows for a better assessment of the individual case, it could create delays and a greater amount of time from case initiation to disposition. If there is not an expected time by which trial should be scheduled, counsel may not have the same motivation to resolve the case early and without a trial. For this method to be effective, the court must establish the timeline for conducting the pretrial conference or other scheduling event, so case participants don't delay scheduling because of a lack of preparedness.
- Setting a projected trial month. Some courts hold an event early in the life of a case to set deadlines, expectations, and a projected timeline for when the trial should occur. These events are often referred to as case management conferences where reasonable timelines are established based on the individual case. Importantly, a projected trial date is established along with a projected pretrial or some other scheduling conference date. This creates an early expectation from which counsel can work to resolve the case early and without a trial. Even though cases are not given a specific date for trial, but rather a timeframe in which a specific trial date will be scheduled, courts must strive to stick with the expected trial scheduling parameters established early. The court with counsel's input can more appropriately schedule each case with consideration of counsel's availability worked out during a pretrial or other scheduling conference.
- Overscheduling cases on trial dates. Courts often overschedule cases (that is, set multiple cases at a time with the expectation that most will be removed and may use a 1 to 3 ratio of scheduled cases to expected trials) in order to keep cases on track with limited judicial resources. Impending trial dates will often lead to case resolution without a trial, and sometimes the resolution will occur on the day of trial. If only one case was scheduled for each date a judge was available, case inventories would grow, and judges would often be left without cases to try as most cases will be resolved before the trial date. The ratio of cases scheduled to actual trials must be carefully established. Often, courts must resort to backup methods to hold trials or fall back on postponements and rescheduling cases for trial. These courts usually view the trial date as a key motive for preparation and early resolution. Courts must strive to use postponements as a last resort. Balancing overscheduling ratios is key to promoting early resolution and scheduling certainty.

## 7.2 Guidelines for Early Dispositions

The following guidelines for early dispositions are a reinforcement of the principles of caseflow management throughout the course:

- Promote lawyer preparation;
- Promote trial preparation;
- Provide information necessary for lawyer preparation;
- Provide information for judges to make decisions as early as possible;
- Create an early disposition climate; and
- Create special early disposition tracks and programs for certain types of cases.

### 7.3 Managing Trial Time – Proven Techniques

Managing the time for trials may be challenging. While a judge retains discretion and authority to manage their trials, judges should draw on the established court rules, caseflow management policies, and time standards as part of the larger practice to manage the pace and flow of the caseload. When a judge manages cases from initial filing through the trial, while adhering to expected policies, that judge is demonstrating effective use of time and attention to litigant expectations to have their case heard in a timely manner. Among techniques for managing trial time are:

- Clearly establishing time expectations and standards for case trial time, while managing the total trial time needed, and recognizing unique aspects in each individual case.
- Using some version of a pretrial conference, trial readiness meeting, or some other event to establish trial length parameters including: complexity of case type, numbers of defendants or parties, number of witnesses, needs for interpreter or other special services; and involvement of SRLs.
- Identifying expected trial length, to avoid more witnesses, identifying breaks and interruptions and seeking trial momentum. Techniques for controlling trial length include: structuring pretrial expectations; preventing repetitive questioning; defining areas of dispute before trial with promotion of established pretrial motion procedures; setting time limits during trial; continuity and length of trial day by beginning each trial day on time, and not ending each trial day early, including holding trials over consecutive days; use of an early and defined witness list; using rules of evidence and effective early management of exhibits; managing the length of testimony; encouraging stipulations and agreements to facts; and being mindful of the impacts on jurors, witnesses, and case participants.
- Remembering the impact on the court’s inventory of cases. At a practical level, predictable and managed trials have a positive impact on the entire case inventory. Unpredictably long trials end up consuming time allotted to other cases that have been scheduled. Unpredictably short trials result in dark courtrooms if a backup plan is not in place.
- SRLs and trials. Trials are especially difficult for SRLs. Judges and staff must be prepared to address these challenges and the potentially serious inequities between SRLs and attorney-represented litigants. Examples include the following: taking an active role in preparing and entering orders and other decisions that clearly inform SRLs, of what actions are needed to enter any further orders for consideration by the Court; using plain language in orders and to encouraging attorneys to use plain language in their submissions and communications with SRLs, and providing clear information, terms, and conditions should be used to ensure

that attorneys and SRLs understand the potential court-initiated enforcement actions or sanctions.

#### **7.4 Trial Continuances**

Trial continuances are more consequential than those of hearings or events during discovery, motion practice, and pretrial. Continuances of trial dates are a special challenge to the court and litigants for the following reasons:

- Trials are the most important, most expensive use of judge time, and the most intensive use of staff time;
- Trials usually involve juries and witnesses. Many more people are impacted, people who have been taken away from personal and work lives;
- Trials require significant advance preparation. Discovery, witness preparation, staff work, negotiations, and complex scheduling lead up to a trial; and
- Trials may take up large blocks of court time.

Strategies for limiting trial continuances go beyond policies with:

- Early judge intervention and the use of pretrial conferences should aim to identify contested cases that have little chance of settling prior to trial;
- Conversely, cases that could settle should have had sufficient opportunity at meaningful events to identify the key issues and ways to reach a fair resolution; and
- Courts must collect data to determine what events have high rates of continuances and understand the dynamic of why they are occurring.

The positive results of fewer continuances include: better use of judicial resources and time; less work for court personnel to prepare and support the court events; potential for reduced attorney workload; reduced litigant inconvenience; and reduced costs.

[\*See Activity 7A\*](#)

## **Section 8 – Performance and Accountability**

### **Learning Objectives**

As a result of this section, participants will be able to:

8a. Evaluate caseload time standards as a performance measure.

[\*See Activity 8A\*](#)

### **8.1 Goal Setting for Court Management**

Performance measures are standards, a form of goal setting. They are often used by courts and other organizations as a benchmark to measure performance. Standards also promote regularity and predictability. This is important as there are nationwide tools that help to measure

performance and courts can compare their performance to established standard periods and those of other jurisdictions. The fundamental components of goal setting are embodied in the SMART acronym: specific, measurable, attainable, relevant, and time bound. Well-designed standards are tuned to the size and type of court and applicable case types.

### 8.1.1 Measures that Measure and Monitor Performance

Most performance measures in U.S. courts today are derived from two sources: Trial Court Performance Standards (TCPS) and CourTools.<sup>43</sup> The International Framework for Court Excellence (IFCE) mirrors the CourTools, with one key exception,<sup>44</sup> the addition of a performance measure of pretrial detention time. While not yet used in the United States, many courts struggle with pretrial detention delay, both as a result of case processing delay, and because of system impediments such as pre-sentence mental health evaluations.

The goals of performance measures are simplicity and ease of use, universality, and relevance. Goals should align with the court's mission, vision, and strategic plan and be implemented collaboratively with staff and stakeholders.<sup>45</sup> Identifying goals that are important and impactful should focus on:

- Reducing case backlog;
- Improving stakeholder satisfaction;
- Enhancing technology adoption;
- Optimizing resource allocation; and
- Improving employee engagement.

Accurate data can be derived from measures that are particular to systemwide performance (macro), individual case performance (micro), and those that complement both the system and the individual case (targeted). Repeated and consistent measurements are important for analyzing caseload trends.

### 8.1.2 Establishing and Meeting Performance Goals

Case time standards help to provide fair, efficient, and effective justice in individual cases and throughout the court system. The establishment of goals helps in comparison within case types, year-over-year within the court and with other similar jurisdictions. Allowing for a point of reference from which to compare makes it possible to assess a court's performance.

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43 National Center for State Courts. (n.d.). *CourTools*. <https://www.ncsc.org/our-centers-projects/courtools>

44 International Consortium for Court Excellence. (2020, May). *International framework for court excellence* (3rd Edition). <https://www.asean-ifce.com/files/ifce/english-international-framework-3rd-edition.pdf>

45 Hannaford-Agor, P. (2021, November). *Reimagining civil case management*. National Center for State Courts. <https://www.ncsc.org/sites/default/files/media/document/NCSC-Reimagining-Civil-Case-Management.pdf>

## 8.2 Macro Standards of Court Performance

A key challenge of the TCPS is complexity. Too much data or information makes it difficult to effectively use and apply performance measures as management tools. Caseflow management performance measures (adapted from CourTools) include four measures that help explain performance at a systemwide level. These macro standards of clearance rate, time to disposition, age of active pending and trial date certainty are explored further below.

### 8.2.1 Clearance Rate

Clearance Rate is a measure of keeping up with new filings. If a court is not keeping up, a backlog will grow making it more difficult to adjudicate cases within reasonable time periods. Over a year, a balanced clearance rate goal is 100%, although fluctuations 5% above or below the goal are common over short intervals.

Clearance Rate = Dispositions/Filings, usually expressed as a percentage
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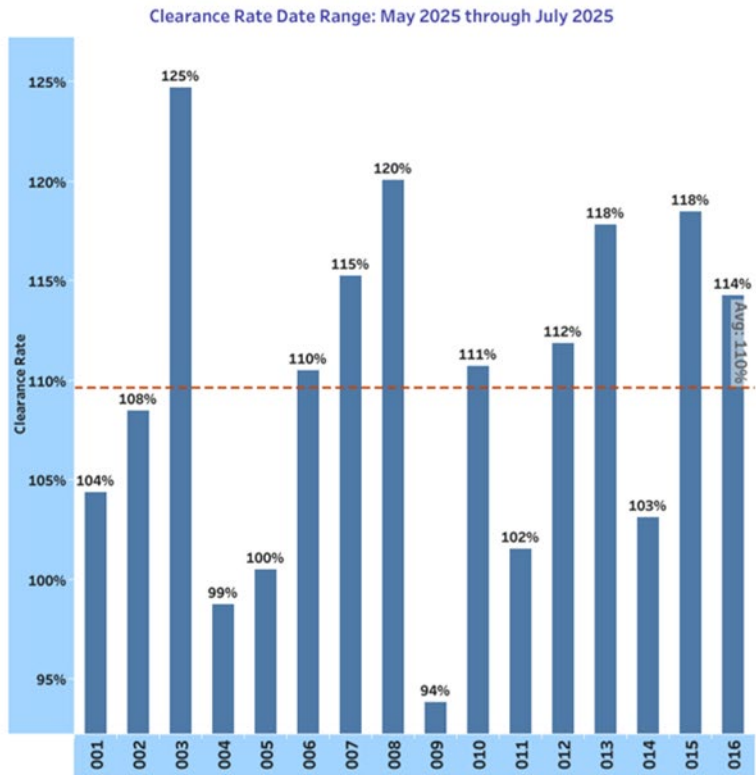
Why is clearance rate important?

- May forecast potential backlog;
- Helps leadership balance judge and staff resources and assignments; and
- Identifies what case types/courts may require additional resources.

The following is an illustration of how filings and dispositions impact pending caseload. The measurement of the ratio of filings and dispositions is the clearance rate.

### Clearance Rate Illustration

Court	Incoming cases	Outgoing cases	Clearance Rate
001	845	882	104%
002	862	935	108%
003	860	1,072	125%
004	852	841	99%
005	1,277	1,283	100%
006	848	937	110%
007	866	998	115%
008	859	1,031	120%
009	858	805	94%
010	832	921	111%
011	842	855	102%
012	844	944	112%
013	838	987	118%
014	843	869	103%
015	836	990	118%
016	856	978	114%



If a court cannot dispose of more cases than are taken in, the total inventory grows and this is one sign of a problem with caseload management. As seen below, clearance rates can impact caseload with case types as well as with individual courts.

### Clearance Rate: All Cases FY22 (July 1 - June 30)



The following table illustrates how a court executive team might use clearance rates across all the court's dockets to understand where the court is struggling, and where additional resources

might be useful to improve performance. For this court, civil, and to lesser degree family case types are struggling, while criminal and juvenile cases are doing better. The pending goals also help illustrate the challenge. As seen below, the pending end numbers for civil and family are greater than the pending start.

**Use of Clearance Rates to Balance Resources and Assignments**

FY 2025					
CIRCUIT COURT					
Case Type	Pending Start	New Filings	Dispositions	Pending End	Clearance Rate
CIVIL	812	1710	1490	1032	87%
CRIMINAL	2309	3985	4087	2207	103%
FAMILY	1916	3110	2898	2128	93%
JUVENILE	93	611	643	61	105%

8.2.2 Time to Disposition

Time to Disposition is the percentage of cases disposed or resolved within established time frames.

American Bar Association Standard 2.50<sup>46</sup> addresses case flow management and standards for speedy trial and the timely resolution of cases.

From the commencement of litigation to its resolution, whether by trial or settlement, any elapsed time other than reasonably required for pleadings, discovery, and court events, is unacceptable and should be eliminated.

Time to Disposition = Number of cases disposed within a time standard/total number of cases disposed (usually expressed as a percentage)

The Model Time Standards provide time standards for the 90<sup>th</sup>, 95<sup>th</sup>, and 98<sup>th</sup> percentile cases for most case types. The Standards were adopted by numerous courts and national organizations in 2011 and represent a unification of time standards across the U.S. Salient points and anomalies include the following:

46 American Bar Association. (2006). *ABA standards for criminal justice, speedy trial and timely resolution of criminal cases* (3<sup>rd</sup> Edition).

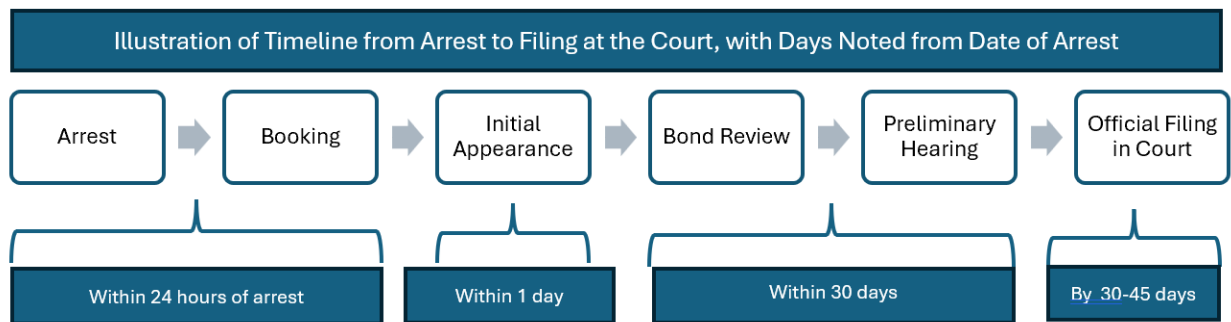
[https://www.americanbar.org/content/dam/aba/publications/criminal\\_justice\\_standards/speedy\\_trial.auth\\_checkdam.pdf](https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/speedy_trial.auth_checkdam.pdf)

For criminal, the new time standard, 365 days, for 98% of cases represents a significant shift from the American Bar Association. For more than two decades, this standard had been 180 days for 98% of disposed cases. The source of the shift may have been the difficulty that trial courts had achieving the more restrictive measure.

For many court organizations, adopting stepped or differentiated time standards represented a significant shift from only one or two standards for each case type. The implications of this shift are far-reaching, including the aim to reduce the tendency for courts to set one goal for the longest time frame, the most complex case. Case processing and use of time standards were challenged during the COVID-19 pandemic. The use of hybrid and remote proceedings was not widely anticipated when the Model Time Standards were developed. Although the Standards are still generally implemented and have meaningful use, courts have adopted and updated them based on jurisdictional practice and needs.<sup>47</sup>

The diagram below illustrates one example of viewing time between significant events, using a sample criminal case in a fictional court; it starts with the arrest, moves to booking, then initial appearance, bond review, preliminary hearing, and finally, the official filing at the court. While any portrayal of events and time needs to reflect local rules or statutes and display actual time deadlines, a chart may clarify practices and expectations. Such a visual examination of the events and time between each event may be a useful tool for examination of compliance with rules or statutes, familiarity with what occurs, and managing time between events.

#### Illustration of Timeline from Arrest to Filing



#### 8.2.3 Age of Active Pending Caseload

Age of Active Pending Caseload is the age of the active cases that are pending before the court, measured as the number of days from filing until the time of measurement. This measure is often supplemented by measures of time between events (hearing types). No absolute standard exists for this performance measure, but, when paired with time between events and hearing

<sup>47</sup> Raftery, W. (2023). Case processing time standards take hold in state courts. *Judicature*, 106(3). Bolch Judicial Institute at Duke Law, Duke University School of Law. <https://judicature.duke.edu/wp-content/uploads/sites/3/2023/02/Raftery-Vol106No3.pdf>

rates can help identify cases that are becoming anomalous (significantly outside the norms) or need to be custom managed. Age of active pending caseload is important to the court in the following ways:

- It can identify where each case is in the process;
- It can be used in conjunction with the docket sheet of events;
- It allows the court to manage cases to trial; and
- It allows the court to identify and manage backlog cases.

Age of Active Pending Caseload = Percentage or number of active pending cases for which the age of each case is within an established frame of time (e.g., 0-30 days, 31-60 days, etc.)

#### 8.2.4 Trial Date Certainty

Trial Date Certainty is the number of times cases disposed by trial are scheduled for trial. This measure is usually computed by taking the number of trial dates scheduled over a period of time and dividing by the number of dispositions by trial over the same period of time. The result should always be greater than one.

No absolute standard exists for this measure. Recommended guidelines are that trial dockets, one week prior to trial, should not exceed a 3 to 1 ratio<sup>48</sup> of cases to expected trials that can be accommodated in the courtroom. The ratio anticipates that up to two cases will settle, and one case will proceed to trial. The granting of postponements, in the week prior to trial should be discouraged.

Trial Date Certainty = Total no. of trial settings/no. of trials

The following are important terms to define a trial:

**Bench Trial Disposition:** A case disposition is counted as a bench trial disposition when the first evidence is introduced or when the first witness is sworn, regardless of whether a judgment is issued, or withdrawal of the charges, or complaint by the plaintiff. This is also known as a court trial or non-jury trial.

**Jury Trial Disposition:** A case disposition is counted as a jury trial disposition when the jury has been sworn, regardless of whether a verdict is reached.

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<sup>48</sup> Some courts and experts recommend a 2 to 1 ratio of cases scheduled to trials. The concern with this approach is that, if both cases settle, the courtroom is not utilized. This can be remedied by a team (shared) approach to other dockets in the courthouse. For very small courts, a balance should be found. Open communication with lawyers and litigants in the weeks prior to a trial date and at pretrial and settlement conferences is very important.

## 8.3 Events Impacting Systemwide Caseflow and Workflow

### 8.3.1 Hearing and Postponement Rate

Hearing and Postponement Rate per case is a corollary of trial date certainty. It broadens the measure to include all hearings and scheduled events on a case, not just trials. Trials (dispositive hearings) are counted in the hearing and postponement rate. As with trial certainty, no absolute standard for the rate of hearings and postponements by case type exists. Norms of typical rates can be determined by analysis. These norms should not be viewed as absolutes, but as key information to establish meaningful scheduling orders and to quickly identify cases which are becoming anomalous or need to be custom managed.

Hearing Rate = Total no. of hearings/no. of dispositions (for disposed cases ONLY)  
Postponement Rate = Total no. of postponements/no. of dispositions (for disposed cases ONLY)

### 8.3.2 Pretrial Detention

Pretrial Detention is included in the IFCE<sup>49</sup> and is a measure of the length of pretrial detention for criminal and juvenile delinquency cases. No absolute standard exists, but the measure is closely tied into speedy trial rules and time to disposition standards. In U.S. courts, pretrial detention is rapidly becoming a caseflow management issue related to the excessive use of incarceration for defendants who cannot afford bail and for detention costs due to pretrial delays. Additionally, some cases may have time suspended or deemed inactive due to mental health evaluation on capacity stand trial.

It is important for courts to review and quantify the extent and causes of pretrial detention and to set reasonable limits on pretrial detention with clearly articulated exceptions to the standard. Pretrial bail reform is a policy issue that is being addressed in many states.<sup>50</sup> In the last decade, a number of local jurisdictions, counties and states have committed to bail reforms through a number of different means (administrative order, local ordinance, state legislation, and constitutional amendment). Local courts, judges, and administrators should get involved in statewide policy discussions and formulation.

## 8.4 Micro Standards – For Individual Cases

Micro standards are typically derivative of macro standards. Clearance rate, by definition, cannot be a micro standard. While standards for individual cases parallel court-wide standards, they are designed to address individual cases and active dockets. Micro standards focus on case progress and timeliness, tracking the number of meaningful hearings and trial settings on a case, causes for delay, and the factors that lead to the need for judicial attention. They include:

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49 International Consortium for Court Excellence. (2020, May). *International framework for court excellence* (3rd Edition). <https://www.asean-ifce.com/files/ifce/english-international-framework-3rd-edition.pdf>

50 National Center for State Courts. (2024, November). *Getting started with pretrial reform*. National Center for State Courts. <https://www.ncsc.org/resources-courts/getting-started-pretrial-reform>

Age of Case. This measure enables judges and decision-makers to quickly see and calibrate the relative progress of an individual case against the entire docket and normative standards. This measure is designed not to simply keep a case from exceeding a time to disposition standard, but to calibrate its progress through pretrial events and hearings. Corollaries of this measure should include:

- Time (age) between events
- Backlog = cases over time standard (flags)

Trial Date Certainty. No micro standard for this measure is recommended. Postponements of a trial date within 1-2 weeks of trial should be the rare exception.

Number of hearings and postponements. As with age of case, this measure is paired with macro performance measure E above, including the time between events (hearings). This measure helps promote due diligence regarding the granting of postponements and the re-scheduling of postponed cases on a short schedule.<sup>51</sup>

Management and Enforcement of Financial or Monetary Penalties. This standard measures payments collected and distributed within established timelines, expressed as a percentage of total monetary penalties ordered in specific cases. It can be considered as a macro, micro, or targeted standard (see more under 8.5 below). As a caseload standard, it is most useful as a measurement of compliance on individual cases (micro), although it is useful to measure compliance across an entire docket to ensure that fine payments and restitution to victims are consistently met. This micro standard promotes measurement of compliance with court orders on individual cases and promotes judicial oversight of payment of fines and restitution, as well as any needed restraint on third-party debt collection and the unreasonable escalation of punitive measures, including penalties and interest on debt. Two related principles are important to consider and are important considerations as policy:

Non-payment of fines and restitution due to indigency sometimes escalates the cycle of added punishment to the original crime, including the accumulation of interest and other sanctions.

Privatization of debt collection is not necessarily more efficient; it may result in unreasonable escalation of sanctions (interest and penalties for non-payment), especially without regulation and oversight by the court.

Measurement and Assessment of Practices Related to Imposing and Enforcing Legal Financial Obligations.<sup>52</sup> This measurement has been retooled and reframed to move from the focus on collection and generation of revenue toward practices for imposing and enforcing legal financial obligations. The new measurement methodologies include additional tools for courts to assess

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51 A definition for short schedules should be included in local rules and on scheduling orders. In some jurisdictions, a short schedule is defined as two weeks. This approach presents significant scheduling challenges to find available dockets with open slots; and also needs to accommodate how to approach the management of longer postponements including formalizing a justification.

52 See National Center for State Courts. (2017). *CourTools: Trial court measures* (Measure 7: Legal financial obligations). <https://www.ncsc.org/our-centers-projects/courttools>

how they are operating regarding fees, fines, and legal financial obligations. Three new related measures are provided:

- CourTools Measure 7a – fairness in legal financial obligations (measuring ratings by defendants or respondents on treatment),
- CourTools Measure 7b – management of legal financial obligations (measuring the percentage of cases in which legal financial obligations are fully met), and
- CourTools Measure 7c – practices for legal financial obligations (measuring ratings by judicial and administrative/court staff on practices to determine, monitor and enforce compliance with legal financial obligations).

## 8.5 Complementary Standards of Measures

### 8.5.1 Measures of Procedural Fairness

Efficient case management focuses on achieving timely, cost-effective, and procedurally fair justice. To achieve this, what counts is that triage is performed to ensure that cases get attention proportional to their needs. Processes are simplified to remove procedural barriers, communication with stakeholders is conducted to make clear the objectives at every stage of the process, there is an effective application of technology and staffing resources and there is an ongoing commitment to data management and performance management.<sup>53</sup>

### 8.5.2 Post-trial Case Management

Post-Dispositional Matters. In various case types it is common for the case to come back to court with post-dispositional activity. The judge and supporting staff continue to play critical roles even after the trial concludes or otherwise terminates. There may be significant post-trial case management overseen by the court including enforcing judgments and monitoring compliance with court orders. The concerns for the court system remain consistent. Clearance and timely disposition of these matters are also important to court managers. For example, in family court post-decree cases there may be modifications to child support, custody and parenting time. The significance of effective post-trial case management is that it:

- Promotes fairness by addressing legal errors and procedural issues;
- Ensures compliance and oversees the execution of the court's orders and the relief awarded; and
- Reduces future litigation and helps avoid costly and timely appeals.

### 8.5.3 Targeted Performance Standards

Targeted performance standards complement macro and micro standards and examine performance in discreet areas of caseload, often based on local priorities.

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53 Hannaford-Agor, P. (2021, November). *Reimagining civil case management*. National Center for State Courts. <https://www.ncsc.org/sites/default/files/media/document/NCSC-Reimagining-Civil-Case-Management.pdf>

A. Complementary standards include the list below. They are used to determine the outcomes of court case management performance as perceived by the public, employees, and the legislature (cost).

- Access and Fairness Litigant and Public Surveys
- Recidivism Rates
- Reliability and Integrity of Case Files
- Effective Use of Jurors
- Court Employee Satisfaction

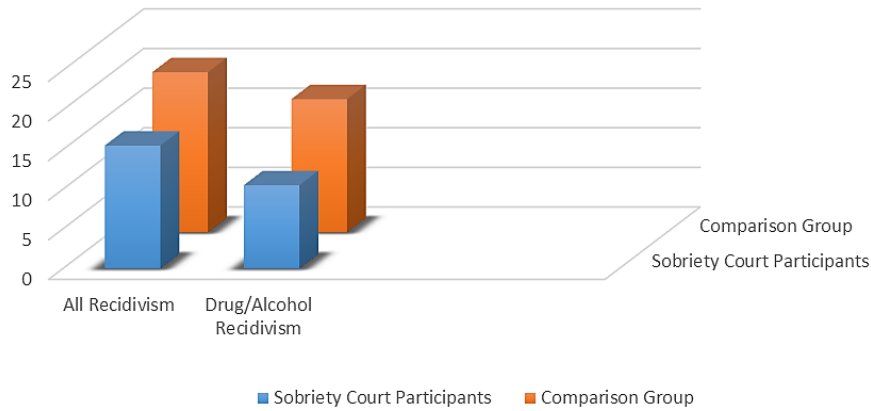
8.5.4 *Recidivism Rate*

The following charts illustrate the effective use of targeted standards for recidivism rates, a systemwide outcome, often measured by specialty or treatment courts, but not often utilized systemwide. The sample data compares program operation for the prior to current year and recidivism rates.

**Effective use of Targeted Standards for Recidivism Rates**

<b>Sobriety and Drug Court Recidivism Rates</b>	<b>Prior</b>	<b>Current</b>	<b>Target</b>	
<i>Why it Matters</i>				
Sobriety court 2-year, drug/alcohol conviction	10%	3%	0%	↑
Sobriety court 2-year, any new conviction	16%	4%	0%	↑
Sobriety court 4-year, drug/alcohol conviction	15%	8%	0%	↑
Sobriety court 4-year, any new conviction	18%	10%	0%	↑
District drug court 2-year, drug/alcohol conviction	10%	5%	0%	↑

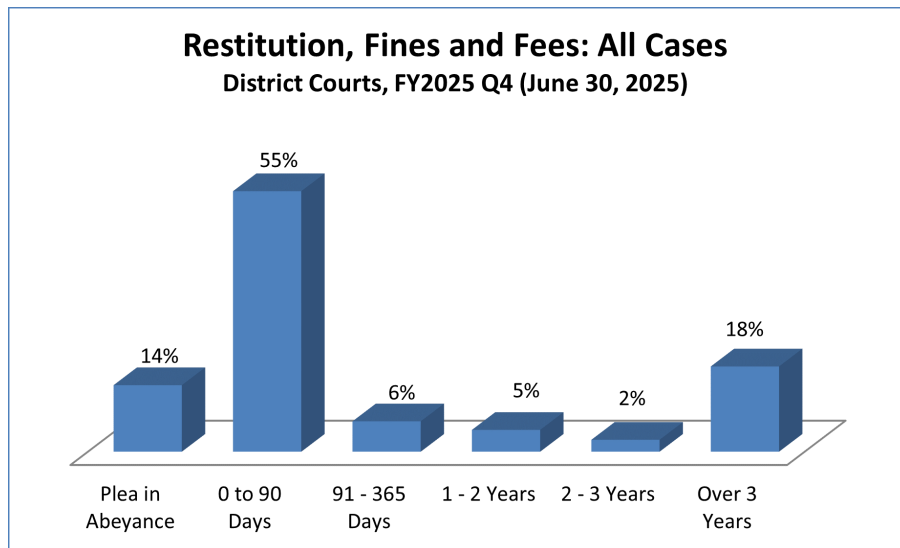
### Four-Year Recidivism Rate (%) for Sobriety Court Participants and Comparison Group



#### 8.5.5 Restitution, Fines and Fees

The following table is another technique for measuring outcomes related to the payment of restitution, fines, and fees.

#### Technique for Measuring Outcomes: Payment of Restitution, Fines and Fees



Standards for local priorities potentially include a wide range of possibilities. A rich source for targeted performance standards is the local procedural rules that are often translated into scheduling orders issued by the court. Any micro-rule that includes a time-driven criterion can be elevated to a performance measure, even if only used as an occasional spot check of performance. Examples include the following:

- Elapsed time for notification of defendants about a case (perfection of service) and subsequent actions (notice and dismissal);
- Elapsed time for no case action and subsequent court actions (notice and dismissal);
- Discovery deadlines; and
- Minimum times prior to trial to notify the court of a postponement request.

Guidelines for the use of targeted performance standards include the following:

- Avoid information overload and determine the breadth and depth of information to use;
- For incremental or highly detailed measures, automation systems may flag unusual cases for attention; and
- Generate lists of cases to evaluate if issues have become systemic.

## Section 9 – Information and Diagnosis

### Learning Objectives

As a result of this section, participants will be able to:

9a. Apply high level diagnosis to determine caseflow management performance.

### 9.1 Level 1 – Building Blocks of Court Performance Measurement and Management

Useful management information about cases and performance is not always assumed to be in place, either by manual or automated data systems. As noted in *Section 4.5.3, Utilization of Performance Standards and Measurement*, information related to standards is often a challenge in courts that have older case management systems or systems that do not provide good management information. Judges and staff that do not understand or trust the management information that is generated by automation systems will not use it.

#### 9.1.1 Information Management for Good Governance

Information management is critical for good governance in courts as it helps to restore efficiency, accountability, and public trust. Governance builds a structure around the people, court processes and procedures and creates a culture around data use to resolve conflicts and improve court performance.<sup>54</sup> It may help to have a definition of data governance and there are a number of these. A recent definition specifically relating to court data governance is a framework encompassing the people, processes and technology that ensure high-quality data, data management and data security throughout an organization.<sup>55</sup> Governance is about

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54 The Pew Charitable Trusts. (2023, September 27). *How to standardize court data for greater transparency and ongoing improvement: Steps for making civil courts more open.*

<https://www.pew.org/en/research-and-analysis/fact-sheets/2023/09/how-to-standardize-court-data-for-greater-transparency-and-ongoing-improvement>

55 National Center for State Courts. (2025, July 22). *Trends in state courts 2025.*

<https://www.ncsc.org/resources-courts/trends-state-courts>

creating a culture around data use, including how data rules are created and enforced and how disputes are resolved.<sup>56</sup>

The chart below helps display the proper application of data governance practices with Artificial Intelligence (AI) in the courts. The increasing use of AI makes data governance even more critical and inaccurate data will magnify problems in the face of AI.<sup>57</sup>

### Application of Data Governance Practices

Core Components of Data Governance	Uses of Data in the Courts	Outcomes of Effective Data Use
1. Clearly defined roles and responsibilities for data ownership	1. Caseflow Management	1. Improved case processing
2. Established data governance Team/Committee	2. Court Operations	2. Effective resource management
3. Established policies to maintain high data quality	3. Court leader/ justice partner data requests	3. Consistent and timely responses to data requests
4. Established policies covering the entire data life cycle	4. Public data requests	4. Increased trust and confidence in the Judiciary
	5. AI/predictive analytics	5. Improved individual case outcome

#### 9.1.2 Focusing on Areas of Greatest Importance

Courts require good data to understand their operations, decide how to allocate their limited resources across many urgent needs, identify patterns and trends and then design and implement effective interventions to improve the quality of justice. The challenge of good information includes simplification and usefulness to leaders and decision-makers. Information must be organized and tailored to the intended audience. Information overload is wastes time and effort. The benefits of good data and information include:

- Leadership responsibility and best practice; and
- Reduction of unnecessary costs and delays;
- Utilization of judges on more complex cases;
- Knowledge of court resource use, or need;
- Program measurement for outcomes;
- Evidence based decision making;
- Accountability and transparency;
- Ability to “tell the court’s story;”
- Usefulness for continuous improvement efforts;
- Overall operational management; and
- Metrics for a systemwide view.

56 National Center for State Courts. (n.d.). *Court statistics project*. <https://www.ncsc.org/our-centers-projects/court-statistics-project>

57 Robinson, D., Cleary, S., Gibson, S., & Liller, A. L. (2024). Data governance and AI in state courts. *Trends in State Courts 2024*, 8-19. National Center for State Courts. <https://cdm16501.contentdm.oclc.org/digital/collection/ctadmin/id/2625>

### 9.1.3 Fostering Creativity Among Staff

Court staff and external stakeholders are uniquely positioned to offer their important perspectives and insights as to how best to gather data, which data to collect and then how to enter, report, distribute and secure data. Through discussions on data standardization practices and processes, courts can foster and encourage creativity. Necessity is often the best motivator, and the courts learned this along with the rest of the world in 2020. Courts had been moving albeit slowly towards the use of e-filing, digital notarization, virtual hearings and even evidence digitization and sharing prior to the COVID-19 pandemic but many uses of technology were revolutionized during the impacted years and since. Judges and court staff worked to leverage technology to improve participation and user satisfaction along with resolving disputes.<sup>58</sup>

One creative solution more directly related to caseload management is the Court Backlog Reduction Simulator (CBRS)<sup>59</sup>. Defined as a forward-looking tool for courts to model what-if scenarios of future pending caseloads and backlogs. By making data actionable and forecasting the number and age of future cases, courts can effectively assign cases and direct resources where needed most. The chart below offers a number of creative options that a court may wish to consider undertaking. The use of tools like the Simulator and exploring other creative methods that might encourage improvements are listed along with the associated level of costs to implement. These interventions can be a simple focus on certain cases needing additional attention, a new program that might require assignment of staff or a technology application that may improve processes, all based on available resources. The same chart is found at section 10.1.2 *Backlog Evaluation*.

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58 Thomson Reuters Institute. (2021, August 24). *The impacts of the COVID-19 pandemic on state & local courts study 2021*. Thomas Reuters. <https://www.thomsonreuters.com/en-us/posts/legal/pandemic-impact-courts-report-2021/>

59 National Center for State Courts. (n.d.). *Backlog reduction simulator*. Caseflow Management. [Backlog Reduction Simulator](#)

## Suggested Actions for Improvement or Elimination of Backlog

\$	\$\$	\$\$\$
Triage cases to identify those that can be resolved quickly	Increase bench time for judicial officers, offload non-bench responsibilities to other staff	Implement/expand e-filing
Dedicate staff to a dismissal docket	Offer a traffic ticket amnesty event	Increase the number of judicial officers
Target older cases with designated staff	Establish and send text reminders of court events	Hold longer in-person court hours (e.g., night court or Saturday court)
Track & reduce the average number of continuances	Ensure notice received prior to court date	Build in a diversion to mental health treatment option (criminal)
Track and reduce the number of appearances	Require case scheduling order on all open or backlogged cases	Add/increase court case managers responsible for caseload management
Review resources/best practices for helping self-represented litigants	Dedicate staff to helping self-represented litigants be ready for court	

### 9.1.4 Meeting Critical Responsibilities

In early 2020, with the challenges faced during the COVID-19 pandemic, there were shifts in how court users and the courts engaged. The Pew Charitable Trusts, in consultation with the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) recommended changes to the relationship between courts and court users that focused on openness, effectiveness and equity. Three key steps were offered that would likely lead to the realization of the full potential of improvements in technology driven tools.<sup>60</sup> These include:

- Combine technological tools with process improvements to better facilitate resolution of legal problems;
- Before adopting new tools, test them with and incorporate feedback from intended users; and
- Collect and analyze data to help guide decisions on the use and performance of the tools.

## 9.2 Level 2 – Court Performance Evaluation

### 9.2.1 Defining Key Performance Indicators

<sup>60</sup> The Pew Charitable Trusts. (2021, December 1). *How courts embraced technology, met the pandemic challenge, and revolutionized their operations*. <https://www.pew.org/en/research-and-analysis/reports/2021/12/how-courts-embraced-technology-met-the-pandemic-challenge-and-revolutionized-their-operations>

Basic information is designed to measure workload, resources, and basic workload trends. They are the building blocks for performance measurement.

Across the Court:

- Filings: How many cases are filed/registered each period (year/quarter/month)?
- Dispositions: How many cases are disposed each period?
- Active Pending Caseload Inventory: How many cases are pending at the beginning and end of each period?
- Inactive Cases: How many cases are outside the court control (due to case stays, bankruptcy status, or issuance of a warrant)?
- Active Pending Dockets: How many cases are pending on each judge team and each judge's docket?
- Reasons for continuances: What are the common reasons for case postponement?

For Each Case:

- Status: What is the status of each case? Is the case active or inactive (suspended)? Where is the case along the expected continuum of events expected from a scheduling order (e.g., service, discovery, pretrial, post-judgment);
- Last Event: What was the last hearing or scheduled event and when did it occur?;
- Next Event: When is the next hearing or event?;
- Case Age: How old is the case, by numbers of days since case filing?; and
- Representation: Does plaintiff or defendant have an attorney?

### 9.2.3 Evaluating Performance Data to Gauge Success

The following table illustrates an effective method of comparing basic court information across multiple courts and jurisdictions. Helpful caseload performance measures are highlighted.

**Comparing Court Information Across Multiple Courts and Jurisdictions**

CIVIL FILINGS & DISPOSITIONS FISCAL YEAR 2024						
Court	Pending Start	Filings	Dispositions	Clearance Rate	Pending End	Pending Goal Civil
A	241	541	559	103%	223	406
B	80	206	230	112%	56	155
C	246	585	621	106%	210	439
D	109	327	329	101%	107	246
E	172	268	202	75%	238	201
F	483	847	762	90%	568	636
G	156	251	268	107%	139	188
H	102	262	302	115%	62	197
I	97	198	214	108%	81	149
J	7631	6105	6456	106%	7280	4583

#### 9.2.4 Identifying Problem Areas

The pending caseload goal is a useful measure to evaluate, or estimate, the number of pending cases in the current inventory at the end of the reporting period. It is not an absolute standard, but it provides a target for the court to reach in order to improve caseflow. It is based on past annual filings and a court's time standard. When courts first address case management and tackle perceived delay, initial evaluations result in the tabulation of high, or extremely high, pending caseloads (inventory). This is often due to inattention to those cases that are closed or have had long periods of inactivity and cases that should have been closed. See *Section 10, Problem-Solving* below for tools to address issues of backlog and reductions of pending inventories.

#### Pending Caseload Goal

$$\text{Pending Caseload Goal} = \frac{\text{Annual Filings} \times \text{Time Standard}^*}{2}$$

#### Example

Civil time standard = 98% in 18 months (548 days)

$$\text{Pending Caseload Goal} = \frac{8,944 \text{ cases}^{**} \times 548/365}{2}$$

$$\text{Pending Caseload Goal} = 6,708 \text{ cases}$$

\*Expressed as a fraction of a year for the 98<sup>th</sup> percentile case

\*\*Annual filings in a hypothetical court

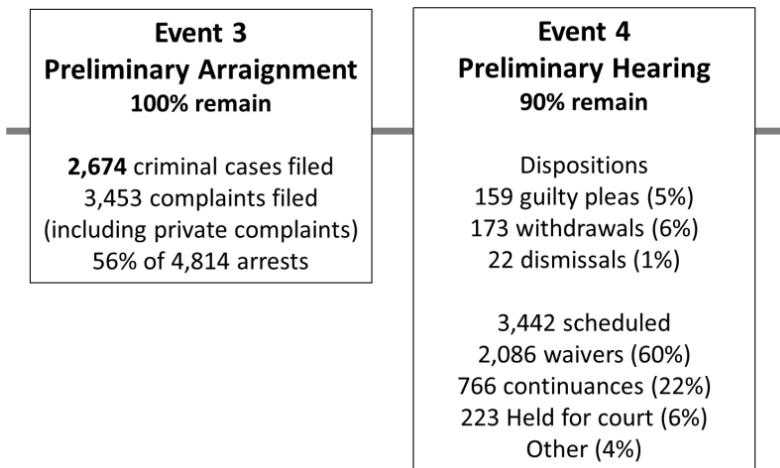
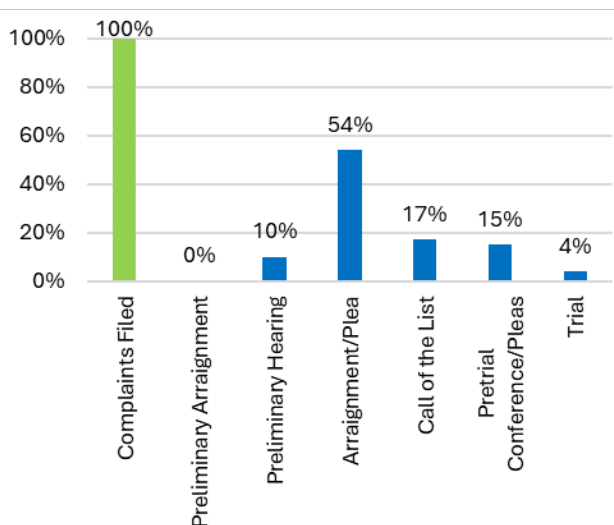
[See Activity 9A](#)

### 9.3 Level 3 – Diagnosis and Improvement

#### 9.3.1 Communicating Evaluation Results

The following diagrams illustrate detailed analysis and diagnosis of outcomes by hearing events in case processing. The outcomes distinguish between types of dispositions (the case) and hearing outcomes (the event). The types of outcomes are not synonymous.

### Examples of Outcomes of Case Processing by Hearing Events



#### 9.3.2 Identifying Areas for Improvement

The role of information and diagnosis is vital to case management. Diagnosis often works in multiple steps beginning with performance measurement and: 1) identification of delay or other problems with a court's docket; 2) drilling down into the information to determine and analyze causes of the delay or other problems; and 3) recommendations for remedies to the problems.

- Dispositions at court events. How does information from the case charts mentioned in the section on caseload practices (the case flowchart and the reverse telescope) compare with judge and staff perceptions of the system? Which hearing events promote case progress and dispositions and why?
- Hearing postponements. What are the causes of postponements at each hearing event and how can they be reduced?
- Judicial decision-making. Is judge time being efficiently utilized?
- Trends. What are the short- and long-term trends? Which case types are getting old? Why?

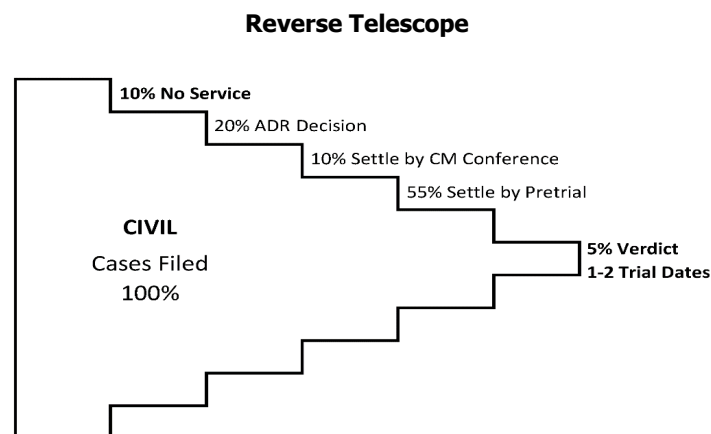
- Anticipatory management. Based on the data, what problems can be anticipated? What steps can be taken now to avoid future problems? What is the source of docket problems?
- Strengths and weaknesses. What are system strengths and weaknesses?

### 9.3.3 Making Recommendations to Improve Performance Outcomes

To improve caseflow and workflow, court leaders may want to shift from looking at process steps to considering outcomes and results. They may need to address underlying issues that may reduce the likelihood of a case proceeding at a scheduled event and the need for parties to return and use collaborative process with system partners to simplify processes. Standards to improve transparency and efficiency in handling and disseminating data have been published in which definitions and mapping tools have been studied for effectiveness.<sup>61</sup>

### 9.3.4 Developing Strategies for Maintaining Goals and Standards

The reverse telescope diagram has been used in various iterations in caseflow curriculum for three decades. The first known use of it was by Maureen Solomon and Ernie Friesen. One version was noted in Section 4 on caseflow principles and practices. A different version is included here, using the example of a civil case, and the subsequent stages or events expected to occur.



If a court maps out case processes in a reverse telescope or case charting diagram, the court will have begun the steps to identify problems and their causes and start to articulate improvement strategies. Given that performance is closely related to the legal culture and shared expectations, now the court must involve stakeholders and begin a process of gaining buy-in, training, and fostering positive change. This process is discussed and illustrated in the section on Calendars and Scheduling.

61 See the National Center for State Courts work on the National Open Data Standards (NODS), wherein data standards, a framework, and mapping protocols have been studied for use in courts, [National Open Court Data Standards: A leadership guide | National Center for State Courts](#).

## Section 10 – Problem Solving for Caseflow and Workflow Improvements

### Learning Objectives

As a result of this section, participants will be able to:

10a. Consider problem-solving priorities and actions for their court and create a preliminary problem-solving list for caseflow and workflow management improvements.

### 10.1 Information and Assessment – an Important First Step

A vital first step in caseflow and workflow problem solving involves understanding the current situation, being informed about the challenges, and identifying the intended objectives for caseflow and workflow improvements. A number of sources may help leaders to identify the current status, progress toward goals, and challenges. Among them are the evaluation of the caseload and workload, review of backlog indicators, and consideration of special problem areas.

#### 10.1.1 Caseload and Workload Information Inventory

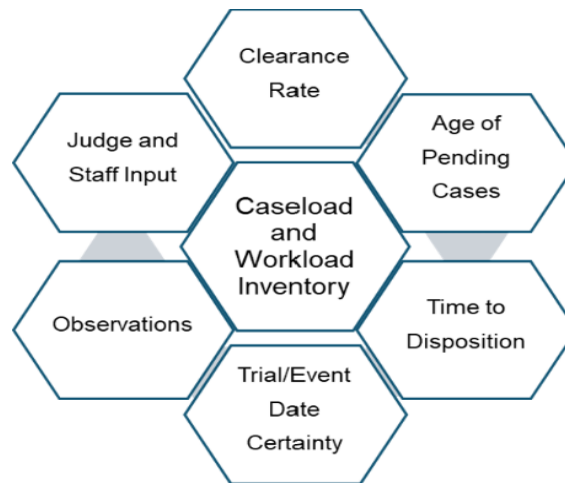
Caseflow and related workflow information may be obtained from the measures noted in the section on Performance and Accountability. Additionally, input from judges and court staff can inform on any factors impacting caseload volumes and any points where cases and workload may be stalled or ineffective.

Metrics that will be most useful for obtaining inventory details include data that can be obtained from a case management system or requested in special reports on data in these areas: court clearance rates, the age of pending cases, case time to disposition, and trial (or event) date certainty.

As this inventory information becomes available, courts may also decide to take immediate action to review the pending caseload and take actions such as:

- Administratively review all cases;
- Formally close any inactive cases or those deemed to not be moving forward;
- Send notices to case parties for upcoming case activity;
- Conduct status, settlement, or mediation/arbitration conferences; and
- Tabulate and share results of the reviews, incorporating information about progress in monthly, quarterly, or annual reports.

### Caseload and Workload Inventory Areas



#### 10.1.2 Backlog Evaluation

Case backlog is defined as the number of active and open cases remaining in the court's inventory beyond the stated performance time goals. Considering and assessing backlog infers that the organization has established performance time goals, standards, or deadlines, or can quantify data to assess the backlog. Sections 3 and 6 also make mention of the importance of time standards and performance goals.

Evaluating backlog includes identifying patterns and trends regarding caseflow volumes. After identifying how many cases may be in backlog status, the evaluation includes determining actions, interventions, and options to decrease or eliminate delays in case handling. Following the backlog evaluation, interventions may range from no or low-cost steps, to resource intensive projects and programs, as indicated in this chart from the NCSC.<sup>62</sup>

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62 For descriptions of backlog strategies, see Freeman, K. R. & Monaghan, R. (2023, May). Measuring the impacts of strategies to reduce court caseloads and backlogs. *The Court Manager*, 37(2). National Association for Court Management. <https://thecourtmanager.org/articles/measuring-the-impacts-of-strategies-to-reduce-court-caseloads-and-backlogs/> This chart is also included in Section 7 on Information and Diagnosis.

### Suggested Actions for Improvement or Elimination of Backlog

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Triage cases to identify those that can be resolved quickly	Increase bench time for judicial officers, offload non-bench responsibilities to other staff	Implement/expand e-filing
Dedicate staff to a dismissal docket	Offer a traffic ticket amnesty event	Increase the number of judicial officers
Target older cases with designated staff	Establish and send text reminders of court events	Hold longer in-person court hours (e.g., night court or Saturday court)
Track & reduce the average number of continuances	Ensure notice received prior to court date	Build in a diversion to mental health treatment option (criminal)
Track and reduce the number of appearances	Require case scheduling order on all open or backlogged cases	Add/increase court case managers responsible for caseflow management
Review resources/best practices for helping self-represented litigants	Dedicate staff to helping self-represented litigants be ready for court	

When considering any unique problem areas, it is helpful to obtain information beyond workload inventory or backlog data. Among valuable information sources are the judges, court staff, and justice system stakeholders (e.g., attorneys, service providers, and contracted agencies, and possibly the litigants and court users).

These parties can provide helpful information about areas or points where case progress is stalled or instances when other items may cause problems. These system actors can inform court leaders about inefficiencies, reveal fidelity to program protocols, and offer suggestions for operational improvement.

Of note, these problem-solving actions can be useful for all types of cases and cases at any status, including during ongoing court monitoring or cases that are post adjudication.

#### 10.2 Preparing for Actions

In preparing for any caseflow or workflow improvement actions, it is vital to consciously link any initiatives to the overall court vision, mission, and goals. This entails a review of any existing strategic plan. If no such plan exists, court leadership can identify and evaluate strategic focus areas that should be targeted for the next one to five years.

As already noted above and in Section 6, using all available performance metrics will also surface key areas for attention or change. The foundational caseflow measures of clearance rate, trial, or event date certainly, case age, age to disposition provide a good view of where targeted change should occur.

Court operational practices, and staffing or workload assignments may also be a useful target for evaluation. For example, these questions may be informative:

- What factors have changed that may impact caseflow practices?;
- Does the court have the full complement of judicial officers (judges, magistrates, hearing officers)?;
- Are there staffing shortages?;
- Are there any upcoming work duty modifications?; and
- Have there been any legislative or rule changes impacting caseflow?

Lastly it is important to consider external influences and factors. One good example in this area may be a change in court presiding or chief judge duties, changes in administrative leadership, changes in law, or changes in elected officials (e.g., prosecuting attorney, public defense agency head).

Some courts have conducted a full work and task inventory. It can be useful in identifying redundancies, and gaps in operational coverage. It can additionally be the source for training and cross training.<sup>63</sup>

### 10.3 Ongoing and Continuous Problem-Solving

Courts that continually oversee and promote caseflow and workflow improvements find that successes are more easily sustained, and stalls in case handling are minimized. As one court leader has commented “caseflow management simply means paying attention,” and “caseflow management should always be front and center for the court to oversee.”

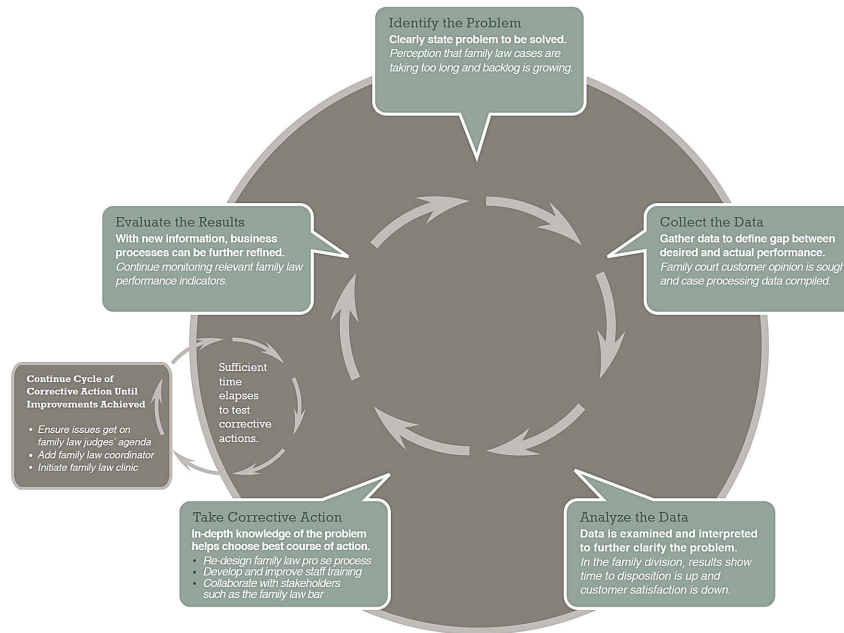
The visual below illustrates a continuous process for problem-solving; This model illustrates an example from a family court environment. An ongoing problem-solving practice will aid a court in paying attention to caseflow and workflow effectiveness.<sup>64</sup>

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63 For a full description of a workload inventory process, see Cornell, J. G. (2012-2013). One court looks at itself in the mirror – the “Bucket List” Project – a low-tech self-review. *The Court Manager*, 27(4). National Association for Court Management. <https://courtleader.net/wp-content/uploads/2017/09/article-one-court-looks-at-itself-in-the-mirror-the-bucket-list-project-nacm-court-manager-vol-27-no-4-winter-2012-2013.pdf>

64 Ostrom, B. J., & Hanson, R. A. (2010). *High performance court framework: A roadmap for improving court management (Visual summary – Final)*. National Center for State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/2040>

## Ongoing Problem-Solving Cycle



Ultimately, effective problem-solving for caseflow management and workflow practices means regular attention to, evaluation of, and adjustments to protocols and policies. Practices that were effective five years ago may no longer be the best methods, so ongoing attention will reap results for efficiencies and effectiveness. Having regular problem-solving practices may also inform leaders of influences and problems to anticipate.

[See Activity 10A](#)

## Participant Activities

The participant activities are one of the most important parts of the curriculum design as they are the tools faculty members are able to use to determine if participants have achieved the outcomes defined in the learning objectives. Also, participant activities provide tools to faculty to ensure that the training, course, or session is not only informative, but also interactive.

Participant activities are annotated in the content outline in places they may be effectively used. Each activity begins with an explanation of its purpose, the specific learning objective being measured, and how to use the activity.

The following activities measure achievement of stated learning objectives. Faculty are encouraged to incorporate additional strategies to engage court managers and keep them active during their educational experience, for example, asking questions about content before presenting it, having learners discuss content and provide feedback to faculty on their perspectives, and more.

[Section One/Activity 1A](#) : Caseflow and Workflow Management Fundamentals Self-Assessment  
Learning objective: *Identify individual learning needs and objectives related to caseflow and workflow management.*

[Section One/Activity 1B](#): How Are Courts Doing?  
Learning objective: *Define the purpose of courts.*

[Section Two/Activity 2A](#): Local Legal Culture  
Learning objective: *Identify the distinguishing and influential characteristics of local legal culture.*

[Section Three/Activity 3A](#): The Culture of Public Access in My Court  
Learning objective: *Evaluate the culture of public access with a focus on self-represented litigants.*

[Section Three/Activity 3B](#): My Court's Caseflow Management Practices  
Learning objective: *Complete a detailed, systemwide evaluation of caseflow management strengths and weaknesses.*

[Section Four/Activity 4A](#): Caseflow Practices & Caseflow Mapping  
Learning objective: *Describe caseflow and workflow management practices and understand the typical sequence of events in a case.*

[Section Five/Activity 5A](#): Case Handling Plan  
Learning objective: *Consider different case handling and treatment options and evaluate the factors that may be present that influence adaptive caseflow handling techniques.*

[Section Six/Activity 6A](#): Case Calendaring in General and Limited Jurisdiction Courts

Learning objective: *Identify calendaring systems and how judges use case management plans and orders to manage cases.*

[Section Seven/Activity 7A](#): Evaluate Trial Management and Continuance Practices

Learning objective: *Better understand the court's role in effectively and efficiently managing the trial calendar.*

[Section Eight/Activity 8A](#): Evaluation of Court Time Standards

Learning objective: *Evaluate caseload time standards as a key performance measure.*

[Section Nine/Activity 9A](#): Backlog Analysis

Learning objective: *Apply high level diagnosis to determine caseload management performance.*

[Section Ten/Activity 10A](#): Action Plan for My Court

Learning objective: *Consider problem-solving priorities and actions for their court and create a preliminary problem-solving list for caseload and workflow management improvements.*

## Section One/Activity 1A: Caseflow and Workflow Management Fundamentals Self-Assessment

### **Purpose**

The purpose of the self-assessment is for participants to introduce themselves and their role in their courts and to identify: a) a learning need from their self-assessment in which they are most interested and b) a knowledge, skill, ability, or attitude that is especially strong and why.

### **Notes about Using the Activity**

This activity may be used as a pre-exercise and sent to participants prior to a session to complete and return in advance of the course. It can also be administered at the beginning of the session. The faculty member may or may not wish to put forth the collective results of the class. If the faculty member could show the results in a graph showing the top categories where the class ranked as highly expert versus those categories where the class ranked topics as no knowledge, skills, or abilities.

### **Relevant Learning Objectives**

- 1a. Identify individual learning needs and objectives related to caseflow and workflow management.

## Caseflow Management Fundamentals Self-Assessment

Please take 15 minutes to read the Knowledge, Skills, Abilities, and Attitudes (KSAs) below and rank yourself in each category. 0 = no knowledge skill or ability in this category to 5 = highly expert, need no new training. The instructor will ask each person to identify their strongest KSA and the KSA which best reflects their highest learning need in caseflow and workflow.

### Knowledge, Skills, Abilities, and Attitudes

		Ranking 0 = none 5 = expert
<b>A</b>	Ability to link the broad purposes of courts to the goals of accessible, equal, fair, prompt, and economical resolution of disputes and effective caseflow and trial management;	
<b>B</b>	Knowledge of how the organization, jurisdiction, and funding of courts impact day-to-day caseflow management;	
<b>C</b>	Knowledge and ability to apply core management functions to caseflow management including human resources, budget and finance, information technology, records, and facilities;	
<b>D</b>	Knowledge and use of case processing time standards and other caseflow management performance indicators;	
<b>E</b>	Skill in tying time standards to the number and types of cases that must be processed to meet time to disposition goals for all case types -- by year, month, week, day, and judicial division, team and judge;	
<b>F</b>	Knowledge of and skill at applying basic caseflow axioms and principles such as early and continuous judicial control and how they produce timely and fair dispositions through staff and lawyer preparation and meaningful events;	
<b>G</b>	Knowledge and use of all case processing steps, sequences, and dynamics for all case types, including how lawyers, their clients, and <i>pro se</i> litigants make decisions concerning filing, case processing, and settlement; and the economics of the practice of law for criminal, civil, domestic relations, juvenile, traffic, administrative, and appellate cases;	
<b>H</b>	Knowledge and application of alternative case assignment and scheduling systems and how to set up and manage daily court calendars by judge, type of case and hearing, day of the week, and time of the day;	
<b>I</b>	Knowledge and the application of differentiated case management (DCM) and its application to all case types;	
<b>J</b>	Knowledge of and ability to use alternative dispute resolution (ADR) and how to integrate ADR into the court's case management system(s);	
<b>K</b>	Knowledge of psychological factors that impact case processing and scheduling, and active judicial management of pre-trial conferences, trials, and post-dispositional activity;	
<b>L</b>	Ability to learn from other caseflow management successes and failures, to keep current with research findings about effective caseflow and the causes and cures for delay, and to leverage available external resources to improve caseflow management.	

## Section One/Activity 1B: How Are Courts Doing?

### **Purpose**

The purpose of the activity is to link court purposes with public perceptions about court performance, especially related to public surveys and current events.

### **Notes about Using the Activity**

Ask participants how their courts are doing relative to each purpose of court (as noted in the chart below). The goal of the exercise is to link court purposes with public perceptions about court performance, especially related to public surveys and current events. Examples include the very positive litigant views of judges and jurisprudence as contrasted with the perceptions of bias and unfairness regarding the justice system as a whole; large prison populations; and a focus on sanctions as punishment rather than rehabilitation.

### **Relevant Learning Objective**

1b. Define the purpose of courts.

## How Are Our Courts Doing?

Below is a list of the eight purposes of courts. Read each purpose, rank it on a scale of 1 (lowest) to 5 (highest) on how well you believe your court is doing with that purpose, and add relevant information. Think about recent surveys that your jurisdiction may have done, incidents or current events which may have highlighted the court, and how other stakeholders may currently view the court. Write your responses and be prepared to share with the class.

	1 Poorly	2 Needs Improvement	3 Doing Well	4 Exceeds Expectations	5 Excellent
Do individual justice in individual cases.					
Comments:					
Appear to do justice in individual cases.					
Comments:					
Provide a forum for the resolution of legal disputes.					
Comments:					
Protect litigants against disproportionate power.					
Comments:					
Create a formal record of legal status.					
Comments:					
Deter criminal behavior.					
Comments:					
Rehabilitate persons convicted of a crime.					
Comments:					
Separate some convicted people from society.					
Comments:					

## Section Two/Activity 2A: Local Legal Culture

### **Purpose**

The purpose of this activity is for participants to explore and discuss what the distinguishing characteristics are within a local legal culture.

### **Notes about Using the Activity**

Divide the class into small groups and have each small group discuss the different characteristics which can define the local legal culture. Alternatively, you may wish to have each group only explore 2 to 3 of the characteristics. Debrief the large group by asking them to share their responses. You may also wish to brainstorm the last questions as a large group.

### **Relevant Learning Objective**

2a. Identify the distinguishing and influential characteristics of local legal culture.

## Local Legal Culture

In your small group discuss each of these characteristics and indicate what their distinguishing characteristics are. Be prepared to share your answers with the large group.

1. Case profiles by complexity and type:
2. Stressors – how do we define this:
3. Expectations of readiness – is familiarity a factor:
4. Pace of litigation – are some court types faster:
5. Types of poverty – urban and rural:
6. Types of recidivism – how to classify:
7. Describe if and how these characteristics are perception or reality:

## Section Three/Activity 3A: The Culture of Public Access in My Court

### Purpose

The purpose of the next two activities is to discuss the level of bias inherent in judicial accommodation of self-represented litigants and the level of case management needed to accommodate self-represented litigants. The activity includes two alternative activities. The choice of activity depends on the faculty and the audience.

### Notes about Using the Activity

First Activity: Each participant shall complete the questions by selecting the closest response to each of the beliefs below or perceptions about self-represented litigants. Once completed, the participant should calculate the total. Provide approximately 5-10 minutes for the completion of the questionnaire. Once the participants have completed the exercise, debrief the class by asking participants to share their results. The debrief should be approximately 15 minutes in length.

Second Activity: Each participant shall circle the closest response to each of the criteria below for their court. At the end sum the total responses. Once the participants have completed the questions, facilitate a discussion about their responses. The activity should last 15-20 minutes.

### Relevant Learning Objective

4a. Evaluate the culture of public access with a focus on self-represented litigants.

### Public Access in My Court and from My Viewpoint

The “kernel of truth” notion asserts that stereotypes and assumptions about people must be based on something, so there must be a kernel of truth in each of them. Although some stereotypes (not all) reflect a real difference in averages between groups, it is obvious that stereotypes are unreliable as a basis for making judgments about individuals. We also need to remember that litigants come to court with various expectations and biases and that those assumptions and biases may also affect how they act in the courtroom. In addition to these usual biases, the issue of self-representation can itself raise various attitudes and assumptions on the part of judges. Some of these include the following beliefs:

Please indicate the level with which you agree with these beliefs or not.

A. High-volume/high self-represented litigant calendars are “punishment” assignments;

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree or disagree	somewhat agree, with reservations	agree

B. Self-represented litigant calendars are not real “judge work;”

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree or disagree	somewhat agree, with reservations	agree

- C. Self-represented litigants are unable to effectively represent themselves and are usually unprepared, and their pleadings and papers are unintelligible, do not raise relevant issues, or both;

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree nor disagree	somewhat agree, with reservations	agree

- D. Self-represented litigants are less educated if not illiterate;

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree nor disagree	somewhat agree, with reservations	agree

- E. Self-represented litigants lie;

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree nor disagree	somewhat agree, with reservations	agree

- F. Cases and calendars where one or both parties are self-represented are longer, slower, more stressful, more frustrating, often volatile, and sometimes unsafe;

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree nor disagree	somewhat agree, with reservations	agree

- G. Hearings in which one side is represented and the other is not are prone to numerous evidentiary challenges and accusations of judicial impropriety when efforts are made to "level the playing field"; and

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree or disagree	somewhat agree, with reservations	agree

- H. If they really wanted to, self-represented litigants could get a lawyer.

1	2	3	4	5
disagree	somewhat disagree, with reservations	neither agree or disagree	somewhat agree, with reservations	agree

**Total Score** (add all results 8-40) = \_\_\_\_\_

**Scoring assessment of your perceptions of self-represented litigants**

- 8 - 15      Broad and pervasive bias against self-represented litigants
- 16 - 23    Resistance to self-represented litigants and the need to accommodate them by the court
- 24-31     General acceptance of self-represented litigants with some reservations
- 32-40     Broad and pervasive acceptance of self-represented litigants and their accommodation by the court

## Public Access in My Court

The purpose of the exercise is to present and discuss the level of case management intervention that is needed and appropriate for courts in order to effectively accommodate self-represented litigants. Each participant shall circle the closest response to each of the criteria below for their court. At the end sum the total responses and be prepared to discuss with the whole class.

- A. Organization of the staff and volunteers to ensure that adequate personnel are present, that they have clear expectations concerning their roles, sufficient training to perform them competently, and are appropriately supervised by qualified attorneys;

1	2	3
My court does this	I'm not sure	My court does not do this

- B. Development of procedures for self-represented litigant assistance in cases without a lawyer on either side, including triaging processes for determining what assistance is needed and appropriate and when to refer litigants into the courtroom because further staff effort is not warranted;

1	2	3
My court does this	I'm not sure	My court does not do this

- C. Developing procedures for handling litigants who need interpreter services or additional assistance;

1	2	3
My court does this	I'm not sure	My court does not do this

- D. Refinement of those processes for cases involving one represented and one unrepresented litigant;

1	2	3
My court does this	I'm not sure	My court does not do this

Development of checklists and fillable forms for the use of litigants and resource people in the assistance process;

1	2	3
My court does this	I'm not sure	My court does not do this

- E. Development of a process for litigants to check in, to be assigned to a staff person or volunteer, and to be taken to a physical location where they can work on their case with relative privacy and access to needed computers;

1	2	3
My court does this	I'm not sure	My court does not do this

F. Development of a process for referring cases to the courtroom when they are ready for bench officer review or when staff are unable to help the self-represented party or parties to advance their cases; and

1	2	3
My court does this	I'm not sure	My court does not do this

G. Development of a process for referring cases from the courtroom back to the resource staff for post-hearing consultation and document preparation.

1	2	3
My court does this	I'm not sure	My court does not do this

Total Score (add all results (8-24)) = \_\_\_\_\_

## Section Three/Activity 3B: My Court's Caseflow Management Practices

This activity is adapted from Mahoney, B., Bakke, H. C., Bonacci-Miller, A., Maron, N. C., & Solomon, M. (1994). *How to conduct a caseflow management review: A guide for practitioners*. National Center for State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/5/>

### **Purpose**

The purpose of this activity is to conduct a thorough assessment of a court's case management performance.

### **Notes about Using the Activity**

This activity is meant to be used as a self-assessment. However, if there are participants attending from the same court, they may be grouped together in teams to complete the assessment. In either case, participants should only complete the portion of the assessment of the divisions of the court with which they are familiar. Provide participants approximately 30 – 40 minutes to complete the worksheet and tabulate the scores. Allow 10 – 15 minutes to debrief the activity with the class and seek volunteers to share their results and their courts' caseflow management performance.

Some of the questions may be difficult for the participants to answer when they are already in class. You may want to consider asking participants to bring caseflow management and time standard information with them to help them be prepared to complete this activity.

### **Relevant Learning Objective**

4b. Complete a detailed, systemwide evaluation of caseflow management strengths and weaknesses.

## My Court, Division, or Unit Caseflow Management Practices

If you are unfamiliar with all divisions of your court, you may choose to answer the questions for only one division or case type.

Score your court on each of 65 questions. Where you do not know or are not sure, estimate a response or choose the average response ("3"). After completing this form, transfer your scores to the scoring sheet at the end of the survey. After doing the computations, plot the results on the assessment graph at the end of the exercise.

Case type or  
division type: \_\_\_\_\_

1. The court has adopted time standards that establish expected outside limits on case-processing time from filing to disposition, for major categories of cases.

1	2	3	4	5
No standards or guidelines		Informal guidelines exist		Yes--written standards have been adopted and published

2. Judges who have responsibility for all or part of the caseload regularly receive management information reports that enable them to know the number of pending cases for which they are responsible, the distribution of these cases by age since filing, and status of each case.

1	2	3	4	5
No		Some information provided regularly		Yes--all of this information is regularly provided (at least monthly)

3. When new caseflow management programs or procedures are being considered, the court's leaders consult with leaders of other organizations that may be affected (e.g., bar, sheriff, prosecutor, public defender).

1	2	3	4	5
No		Sometimes		Yes, as a standard policy

4. The court counts every case as pending from the date that it is initially filed (or, in criminal cases in which the defendant has been arrested, from the date of the arrest).

1	2	3	4	5
No		Some categories of cases		Yes

5. The chief judge (or the presiding or administrative judge of the division) has endorsed the court's (or the ABA's) case-processing time standards.

1	2	3	4	5
---	---	---	---	---

No

Quiet support, within the court

Yes, publicly and emphatically

6. There is a commonly shared commitment, on the part of the judges, to the principle that the court has responsibility for ensuring expeditious case processing.

1

2

3

4

5

No shared commitment

Some judges are committed

Virtually all judges are committed

7. Members of the judges' support staff (courtroom clerk, judges' secretaries, bailiffs, etc.) are knowledgeable about caseload management principles and techniques and use them in helping to manage caseloads and individual cases.

1

2

3

4

5

No

Some

Yes, virtually all are knowledgeable and use the principles and techniques

8. The court regularly conducts education on caseload management principles and techniques for judges and staff.

1

2

3

4

5

No training

Some training, conducted irregularly

Yes

9. The court has established, and uses, a system evaluating the effectiveness of judges in handling the portions of the court's total caseload for which they have responsibility.

1

2

3

4

5

No

Some criteria exist

Yes

10. The court has few or no cases pending for more than the maximum length of time established by its own case-processing time standards or, alternatively, the ABA case-processing time standards.

1

2

3

4

5

Don't know

Many cases are older than the court's (or ABA's) time standards

About 30% are older

10-15% are over the standard

No cases or only a few are over the standards

11. There are published policies and procedures governing the caseload process, readily available to judges, the court's staff, and bar members.

1

2

3

4

5

No

Exist for some areas

Yes, cover all major caseload issues/areas

12. The chief judge plays a leading role in initiating caseflow management improvements in the court.

1	2	3	4	5
No		Sometimes		Yes

13. The judges are aware of the court's case-processing time standards.

1	2	3	4	5
No standards exist		Some are aware		Yes, all judges

14. Trial judges have, or can readily obtain, all information necessary to enable them to know about the status of a case, its prior history in the court, and related cases involving the same parties.

1	2	3	4	5
No		Some information usually available		Yes

15. Potentially protracted or complicated cases are identified early for special attention.

1	2	3	4	5
No		Sometimes		Yes, systematically

16. Consultation between judges and administrative staff about caseflow management policies and procedures occurs.

1	2	3	4	5
Rarely, or never		Occasionally, mainly when there are problems		Regularly

17. The chief judge (or the presiding or administrative judge of the division) regularly disseminates information on caseload status, trends, and problems.

1	2	3	4	5
No		Sometimes		Yes

18. Assess the difficulty of an attorney obtaining a continuance of a trial date or date for an evidentiary hearing.

1	2	3	4	5
Easily obtained upon request or stipulation		Attorney must show cause, but request is usually granted		Can be obtained only by written request/motion and showing of substantial cause

19. Judicial support staff notify the judges of cases that have been pending for long periods of time and cases in which there have been repeated continuances.

1	2	3	4	5
---	---	---	---	---

No	Some			Yes
<b>20. Judges attend national or in-state seminars on caseload management and related topics.</b>				
1	2	3	4	5
No		Some judges attend, no standard court policy sessions		Yes, all judges are expected to attend
<b>21. Judges who do an effective job of managing the caseloads for which they are responsible are publicly recognized for their good performance.</b>				
1	2	3	4	5
No		Sometimes		Yes
<b>22. The court disposes of at least as many cases as are filed each year, in each general category of cases.</b>				
1	2	3	4	5
No, filings consistently exceed dispositions		Some years, in some categories of cases		Yes, consistently
<b>23. The court's staff at all levels are aware of the court's case-processing time standards and other caseload management goals.</b>				
1	2	3	4	5
There are no standards or goals		Some are aware	Top staff are aware	Yes
<b>24. The court's recordkeeping system (including management information reports, whether automated or</b>				
1	2	3	4	5
Impedes effective caseload management	Is not helpful	Has some helpful feature:	Is helpful	Greatly facilitates effective caseload management
<b>25. Assess the structure and frequency of communications between the court's leaders and the bar concerning caseload management policies and practices.</b>				
1	2	3	4	5
No mechanisms, infrequent consultation	No mechanisms, occasional informal consultation	Consultation as requested by court or bar leaders	Formal mechanisms, occasional consultation	Formal mechanisms; frequent consultation
<b>26. Judges' commitment to effective caseload management is demonstrated by their actions in holding lawyers to schedules, limiting continuances to situations in which good cause is shown, and allowing continuances only for short intervals.</b>				
1	2	3	4	5
Generally, no		Inconsistent		Generally, yes

27. The system of scheduling cases for trials and evidentiary hearings provides attorneys and the court with certainty that a case will be reached on the scheduled date.

1	2	3	4	5
Rarely	Less than half the time	50-75% of the time	70-90% of the time	90-100% of the time

28. The court has a central staff unit that regularly monitors the caseload, identifies problems (e.g., pending caseload increasing; certain cases taking unduly long), and provides recommendations for action to the chief judge or other judge with administrative responsibility.

1	2	3	4	5
No		Some central staff monitoring; occasional recommendations		Yes

29. The court has time standards/guidelines governing the time interval between each major stage in the litigation process.

1	2	3	4	5
No		Guidelines cover some but not all intervals		Yes

30. The court has a standard orientation program for new judges and new staff members, in which the court's policies and expectations regarding caseload management are covered thoroughly.

1	2	3	4	5
No		Some orientation		Yes, thorough orientation

31. The court has established, and uses, a system for evaluating the effectiveness of staff members in performing their duties with respect to caseload management.

1	2	3	4	5
No		Some criteria exist		Yes

32. Judges who have responsibility for portions of the court's caseload periodically review the age and status of cases for which they are responsible.

1	2	3	4	5
Never		Occasionally		At least once a month

33. The chief judge (or the presiding or administrative judge of the division) is widely regarded--by judges, staff, and others--as actively committed to reducing delays and implementing effective caseload management procedures.

1	2	3	4	5
No		Mixed perceptions		Yes

34. The court's caseload management goals, and its performance in relation to the goals, are subjects of regular communication with the bar and media.

1	2	3	4	5
No		Sporadic communication		Yes

35. The court regularly produces reports that show trends in filings, dispositions, pending caseloads, and case- processing times.

1	2	3	4	5
No		Some trend analysis		Yes, regular analysis of trends in all of these areas

36. The judges discuss the status of the caseload and other caseload management issues at regularly held judges' meetings.

1	2	3	4	5
No		Sometimes		Yes

37. Consultation with attorneys, by a judge or court staff member, occurs early in a case, to set deadlines for completion of stages of the case.

1	2	3	4	5
No	Only if requested by attorney	Sometimes	Mainly in complex cases	Yes, in all cases

38. The judges recognize the need to monitor the pace of litigation and are actively committed to seeing the court meet standards for expeditious case processing.

1	2	3	4	5
No		Some judges recognize the need		Yes

39. Judges' support staff provide help in achieving the court's goals (e.g., in contacts with attorneys, including scheduling cases for court dates).

1	2	3	4	5
No		Some		Yes

40. The court regularly conducts training sessions for practicing lawyers (especially young lawyers) to familiarize them with the court's caseload management policies, procedures, and expectations.

1	2	3	4	5
No		Some training, conducted irregularly		Yes

41. Judges who have administrative responsibility (e.g., chief judge; presiding judge of civil or criminal division) meet with the judges in their divisions to review the status of pending caseloads and discuss ways of dealing with common problems.

1	2	3	4	5
No		Occasionally		Yes, at least once a month

42. The court regularly produces management information reports that enable judges and staff to assess the court's progress in relation to its caseload management goals.

1	2	3	4	5
No		Information available on some goals		Yes

43. Mechanisms for obtaining the suggestions of court staff about caseload management problems and potential improvements exist and are used by the court's leaders.

1	2	3	4	5
No		Occasionally		Yes, regularly

44. Attorneys are ready to proceed on the scheduled trial date or evidentiary hearing date.

1	2	3	4	5
Rarely	Less than half the time	50-75% of the time	70-90% of the time	90-100% of the time

45. Judges whose performance in managing the caseloads for which they are responsible is below acceptable standards are provided with assistance and receive negative sanctions if their performance does not improve.

1	2	3	4	5
No		Sometimes		Yes

46. The court follows established procedures to identify inactive cases and bring them to disposition.

1	2	3	4	5
No		Occasional reviews and purges of inactive cases		Yes, regular reviews are done and purge procedures are followed

47. The trial court administrator (or, within a division, the senior staff person for the division) is widely regarded--by judges, staff, and others--as knowledgeable about caseload management principles and practices, familiar with the court's caseload situation, and effective in recommending and implementing policy changes.

1	2	3	4	5
No		Mixed perceptions		Yes

48. The time required to complete case processing is generally within the time standards adopted by the court (or, if no standards have been adopted by the court, does not exceed the ABA case-processing time standards).

1	2	3	4	5
Don't know	Many cases over standard	Fair performance in relation to standards	Good performance; some improvement desirable	Yes, the court is consistently within the time standards

49. Techniques for avoiding or minimizing attorney schedule conflicts are part of the scheduling system, and attorneys' schedules are accommodated to the extent reasonably possible.

1	2	3	4	5
Attorney schedule conflicts are a major problem		Some techniques used; system could be improved on some goals		Techniques are used and work well; no improvement needed

50. The court has adopted formal policies and procedures with respect to most or all areas of caseload management, and these policies are followed/enforced.

1	2	3	4	5
Few or no areas are covered by formal policies	Some formal policies; rarely enforced	Some formal policies; inconsistent enforcement	Most areas have formal policies; enforcement needs some improvement is consistent	Most areas covered by formal policies; enforcement

51. Senior staff members regularly meet with judges in leadership positions to discuss caseload status and develop plans for addressing specific problems.

1	2	3	4	5
No		Occasionally		Yes

52. Judges who have administrative responsibility review information on the performance of judges in their divisions with respect to caseload management, give public recognition to those who are doing an outstanding job, and meet with those whose performance is subpar to discuss needed improvements.

1	2	3	4	5
No		Sometimes		Yes

53. The court has adopted goals for the frequency with which trials start on the scheduled date.

1	2	3	4	5
No		Informal expectations exist		Yes

54. Key management information reports are widely distributed to judges and staff and include short written analyses that highlight problems and issues.

1	2	3	4	5

No	Limited distribution, little analysis	Yes
----	--	-----

55. The court provides information about its caseload management goals and about its performance in relation to these goals to the media on a regular basis.

1	2	3	4	5
No	Occasionally			Yes

56. Simple cases that may be amenable to swift disposition are identified at an early stage for special processing.

1	2	3	4	5
Never	Rarely	Sometimes, mainly if counsel requests	Some categories	Yes, routinely of cases

57. Court staff members attend national or in-state seminars on caseload management and related topics.

1	2	3	4	5
No	Some staff members have such training			Yes, virtually all staff members periodically receive such training

58. The court has established goals for the maximum size of its pending caseload(s) and has developed plans for reducing its caseload to that number (or, if the current caseload is at an acceptable size, for ensuring that the caseload does not exceed the goal that has been set).

1	2	3	4	5
No	Some goals exist; status of plan unclear			Yes

59. The chief judge and trial court administrator regularly meet to review caseload status, discuss policy and operational problems affecting caseload management, and develop specific policies and plans.

1	2	3	4	5
Rarely or never		Irregularly	Yes, at least once a week	

60. How frequently are cases that have been scheduled for trial or evidentiary hearing continued because there are more ready cases than can be reached on the scheduled date?

1	2	3	4	5
Very frequently	Frequently	Occasionally	Rarely	Never

61. Staff members who do an effective job of managing caseloads for which they are responsible are publicly recognized by the court's leaders for their good performance.

1	2	3	4	5
No		Sometimes		Yes

62. Discussions between judges with administrative responsibility and senior staff members in the court, concerning caseload management policies and procedures, occur:

1	2	3	4	5
Rarely		Occasionally		Regularly, and whenever needed

63. Every pending case on the court's docket has a "next action" date scheduled.

1	2	3	4	5
Most cases do not have next action dates scheduled	Approximately 10-20% of cases have no next action date scheduled	Approximately, 20-40% of cases have no next action date scheduled	Almost all cases have a next action date scheduled	Yes

64. Trial judges conduct a trial management conference with trial counsel, 5 to 21 days before the scheduled trial date, to resolve pending motions, determine what issues of law and fact are in dispute, and establish "ground rules" with respect to voir dire, witness scheduling, use of exhibits, and other issues likely to arise at trial.

1	2	3	4	5
No	Rarely	Some judges, in some cases	Most judges, in most case	Yes, all judges, in all except very simple cases

65. The following caseload management information is readily available and regularly used: (Y = Yes; N = No)

Available	Used	Information
		Number of pending cases, by case type
		Annual filings and dispositions, by case type
		Age of pending cases (frequency distribution, within age categories)
		Change in number and age of pending cases since last report or since previous year
		Age of pending caseload compared to time standards
		Age of cases at disposition, by case type
		Percentage of trials starting on first scheduled trial date
		Number of postponements of scheduled events in each case and on average by case type
		Reasons for each postponement
		Number and proportion of dispositions by type of disposition

To score this question, add the number of Y's in the "Available" and "Used" columns, and divide the total ( ) by 4. RESULT = \_\_\_\_\_

# Questionnaire Scoring Sheet

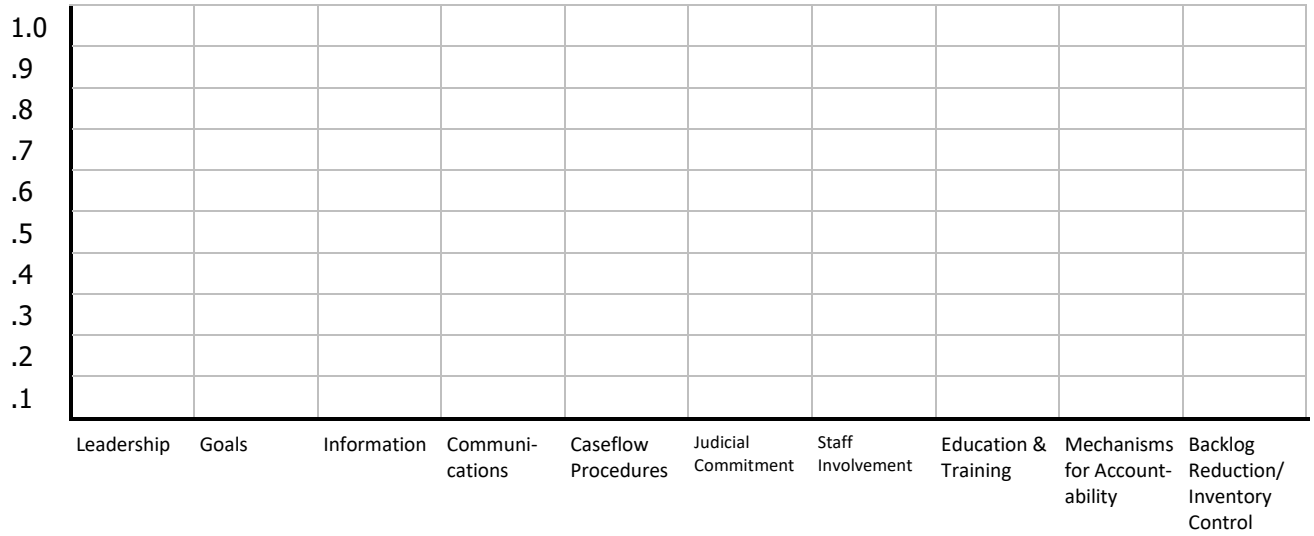
Instructions: Record the score for each question in the appropriate space below. Add to get the totals for each category of caseflow management performance. Use your smartphones to calculate the score to ONE decimal point.

Leadership	Goals	Information	Communications	Caseflow Management Procedures
5.	1.	2.	3.	4.
12.	13.	14.	11.	15.
17.	23.	24.	16.	27.
33.	29.	35.	25.	37.
41.	34.	42.	36.	44.
47.	48.	54.	43.	49.
52.	53.	65.	55.	56.
59.			62.	60.
				63.
				64.
Total = _____ Out of 40 possible, divide by 40:  _____	Total = _____ Out of 35 possible, divide by 35:  _____	Total = _____ Out of 35 possible, divide by 35:  _____	Total = _____ Out of 40 possible, divide by 40:  _____	Total = _____ Out of 50 possible, divide by 50:  _____
<b>Score</b>	<b>Score</b>	<b>Score</b>	<b>Score</b>	<b>Score</b>

Judicial Commitment	Staff Involvement	Educational Training	Mechanisms for Accountability	Backlog Reduction/ Inventory Control
6.	7.	8.	9.	10.
18.	19.	20.	21.	22.
26.	28.	30.	31.	32.
38.	39.	40.	45.	46.
50.	51.	57.	61.	58.
Total = _____ Out of 25 possible, divide by 25:  _____	Total = _____ Out of 25 possible, divide by 25:  _____	Total = _____ Out of 25 possible, divide by 25:  _____	Total = _____ Out of 25 possible, divide by 25:  _____	Total = _____ Out of 25 possible, divide by 25:  _____
<b>Score</b>	<b>Score</b>	<b>Score</b>	<b>Score</b>	<b>Score</b>

## Graph of Self-Assessment Questionnaire Results

Using the scores recorded on the Questionnaire Scoring Sheet above, plot the final scores for each dimension on the graph below for your court.



## Section Four/Activity 4A: Caseflow Practices and Caseflow Mapping

### Purpose

Option A: The purpose of listing caseflow practices is for participants to familiarize themselves with the breadth of caseflow and workflow management practices.

Option B: The purpose of the caseflow mapping is for participants to begin the process of analyzing and evaluating existing caseflow management systems and organizations. By creating diagrams that show key events/activities and the deadlines and usual processing times associated with them, participants will have a basis for proposing enhancements.

### Notes about Using the Activity

Option A: List caseflow practices present in your court – working individually or in groups, list, discuss, and share current caseflow and workflow practices that are present in your court. Identify priorities for changing or adding to the current practices.

Option B: Chart the flow and sequence of case events and stages – working individually or in court teams, chart and document the sequence of case events from point of filing/case initiation through final ruling or adjudication. Indicate the specific event titles, and the amount of time between events. Identify points where cases are stalled or time is lost.

### Relevant Learning Objective

- 4a. Describe caseflow and workflow management practices and understand the typical sequence of events in a case.

## Caseflow Mapping

### Introduction

Prepare a detailed flow diagram for the case process for the type of cases you have selected from the time of first contact with the justice system through conclusion of the case by whatever means. Include all activities and steps, whether they are court events or activities conducted by other involved agencies. Be sure to show as much detail as possible.

### Mapping

Use the following steps as your guide to create a chart:

1. Map a case from beginning to end from the perspective of the plaintiff. Choose a civil, criminal, domestic relations, traffic, or probate case type. Map only major events leading up to the court case, as well as all major events happening at court, including complaint filing (case initiation), notice, and most subsequent hearings and the trial. Label each event using a box and arrows between events.
2. Identify above each significant event what is expected to happen and the range and predictability of outcomes from the event.
3. Illustrate the typical times between events.

### Process

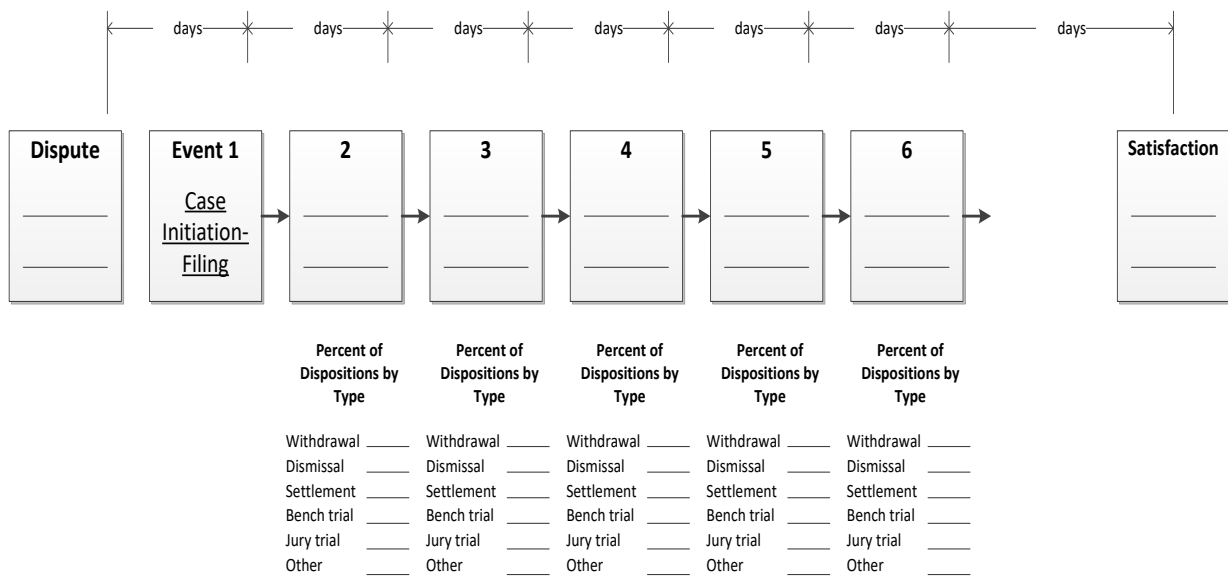
Address the following in preparing the flow diagrams:

1. Key activities and events for both the court and other agencies (in addition to court events, hearings and activities which are the responsibility of other agencies, also show preparation of dockets, notices, etc. by court/clerk's office).
2. Indicate who the responsible party is to assure this event or activity occurs as scheduled.
3. Indicate who must be present for the event or activity.
4. Note what occurs at that event to move the case forward.
5. Indicate decision points in the flow (e.g., where disposition may occur or a case-progress decision is made, or cases are referred or diverted to another agency).
6. Enter the estimated usual elapsed time between events.
7. Estimate the number of cases (if any) usually disposed of at each step in the process.
8. After completing the chart, go back and estimate how long it should take between each event.
9. Does the chart suggest other organizations or individuals who should be included in the team?
10. Do you know what organizations or individuals will favor your proposal? Oppose your proposal?

## Caseflow Map

Chart the caseflow events on the diagram below or create a similar chart, writing in the terms used in your court for each event. Fill in the typical times between each event and the expected percentage of dispositions by type that would normally be reached under each event. You do not need to use all six events, simply cross out the unused boxes. If you need to map additional events simply draw them in or put them below the diagram.

**Case type:** \_\_\_\_\_



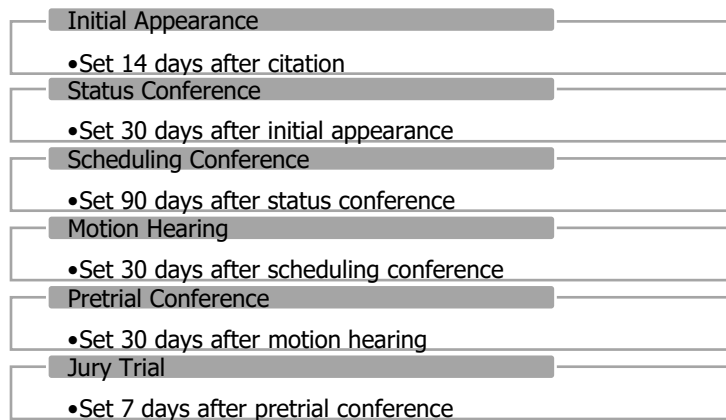
Included below are step-by-step actions for a case mapping process.

### **Case Mapping: Part 1**

- 1) Choose a case type that you know is currently taking too long
- 2) Map a case from beginning to end from the time of filing to the end
- 3) Illustrate the typical times between events
- 4) Label total time to disposition

#### Example:

Misdemeanor Case (cited and released/non-warrant) - Time to Disposition Standard = 270 days



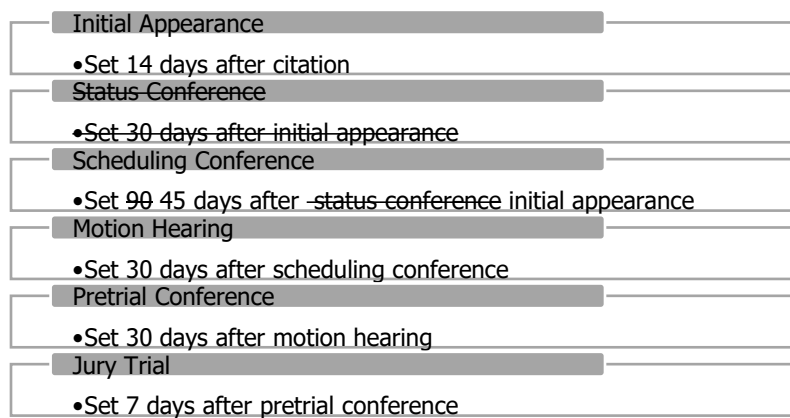
Total time: 201 days

### **Case Mapping: Part 2**

- 1) Re-map the case in Part 1
- 2) How much time should it take between each event?
- 3) Which other organizations or individuals should be included on the team to make these changes a reality?
- 4) Do you know what organizations or individuals will favor your proposal? Oppose your proposal?

#### Example Re-Mapped:

Misdemeanor Case (cited and released/non-warrant) - Time to Disposition Standard = 270 days



Total time: 126 days

## Section Five/Activity 5A: Case Handling Plan

### Purpose

#### Notes about Using the Activity

Create a simple caseflow management or case handling plan for your court. Use a single case type, for example family court, list case treatment factors that can inform you about the complexities and service needs, and outline high level steps (events, expected outcomes at each event, timelines) in the movement and flow of cases. Chart the events, timing, services, deadlines. If your court has existing rules, statutes, or administrative orders, that can support specialized caseflow, indicate the existing authorities.

#### Relevant Learning Objective

5a. Consider different case handling and treatment options and evaluate the factors that may be present that influence adaptive caseflow handling techniques.

Review the Case Handling Options in Your Court or Division	Identify the Factors and Influences in Your Court that May Support or Hinder the Practices
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

## Section Six/Activity 6A: Case Calendaring in General and Limited Jurisdiction Courts

### **Purpose**

The purpose of this activity is to help participants explore the different caseflow and workflow management approaches that a court can take.

### **Notes about Using the Activity**

There are four discussion areas for this activity. Have the participants work in small groups to discuss the advantages and disadvantages to each approach from the perspective of the case and from the perspective of the calendar. Have the small groups select a recorder and a reporter for the group. Give the small groups 15-25 minutes to complete all of the approaches. Take approximately 10 minutes to debrief the exercise by asking the reporters to provide feedback about what they believe the best approach is from the perspective of the case and the calendar and vice versa.

### **Relevant Learning Objective**

8a. Identify calendaring systems and how judges use case management plans and orders to manage cases.

## Case Calendaring and Docket Approaches

Discuss each docket management approach from the perspective of the case and from the perspective of calendar management. Discuss the pros or techniques that can be used as well as the cons or challenges to each.

	Case Perspective		Calendar Perspective	
	Pros	Cons	Pros	Cons
<b>Case Type Divisions</b>				
<b>Rotation and Timing of Rotation</b>				
<b>Assignment Approaches</b>				
<b>Calendar Management – Who Oversees? What and When Does Oversight Occur?</b>				

## Section Seven/Activity 7A: Evaluate Trial Management and Continuance Practices

### Purpose

The purpose of this activity is to expose participants to preliminary steps to evaluate trial practices in their own court.

### Notes about Using the Activity

Students are encouraged to obtain data about how many cases are set to trial each month. For this activity, a shortened time period of a six-month sample is used. Students are also instructed to obtain data about how many continuances are ordered for each case within the sample.

### Relevant Learning Objective

9a: Better understand the court's role in effectively and efficiently managing the trial calendar.

Month	Number of Cases Set for Trial	Number of Continuances on each Case

## Section Eight/Activity 8A: Evaluation of Court Time Standards

### **Purpose**

The purpose of this activity is for the participants to evaluate Maryland's time standards to determine what is working well and what, perhaps, should be revised or further reviewed. This activity will assist participants in understanding how to evaluate their own time standards.

### **Notes about Using the Activity**

This activity is best completed in small groups. The small groups should select a recorder and a reporter. The small groups should complete the questions by evaluating the Maryland Time Standards on the subsequent pages. Allow 20-25 minutes for the small groups to complete the evaluation. Allow 5-10 minutes to debrief the class about the activity and share their responses to the questions.

### **Relevant Learning Objective**

6a. Evaluate caseflow time standards as a key performance measure.

## Maryland Time Standards Evaluation

1. What is the cumulative time standard(s) for felony cases from first appearance in the District Court to adjudication in the Circuit Court? Note that the time standard for District Court criminal cases does not address Circuit Court felony cases. To estimate the aggregate time, use the estimated time that a criminal case would take in your court to reach a first appearance in the Circuit Court.

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2. What is the cumulative time standard(s) for felony cases from arrest to disposition – sentencing? If not known, how much extra time do you estimate it would take to expand the definition? Be specific (e.g. arrest to first appearance; adjudication to disposition).

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3. What are legitimate reasons for suspending (not counting) elapsed case time on a criminal case? How is this accounted for in the Maryland time standards?

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4. How many court hearings do you estimate a typical (average) felony case requires? Use your court to reflect on the number of court hearings you would expect. What about a court case that is dismissed or withdrawn? Disposed by plea agreement, verdict and sentence by a judge? By jury trial?

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Average number of hearings for a typical felony case:

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Average number of hearings for a dismissed or withdrawn felony case:

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Average number of hearings to reach a plea agreement on a felony case:

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Average number of hearings to get to a jury trial on a felony case:

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Using your court's data or the data from the Maryland courts, what do you estimate the trial (bench or jury) rate for felony criminal cases is overall? The trial (bench or jury) rate is the percentage of cases that are disposed by a jury or bench trial.

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5. Using your court's data or the data from the Maryland courts, how many court hearings does a typical (average) limited/general civil case require? What about a court case that is dismissed or withdrawn? Disposed by settlement? By trial? Your responses should align with your group's type of court jurisdiction (please circle the type).

Average number of hearings per limited/general jurisdiction civil case:

Average number of hearings per dismissed limited/general jurisdiction civil case:

Average number of hearings to reach a settlement on a limited/general jurisdiction civil case:

Average number of hearings to get to a trial on a limited/general jurisdiction civil case:

6. Using your court's data or the data from the Maryland courts, what is the trial (bench or jury) rate for limited/general jurisdiction cases?

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7. Using your court's data or your experience in your court, how many court hearings does a typical (average) traffic case require? How about a traffic case that is disposed by plea – how many appearances are needed? How many if disposed by trial?

Average number of hearings per traffic must appear (2<sup>nd</sup> offense DUI) case:

Average number of hearings to reach a plea on a traffic must appear (2<sup>nd</sup> offense DUI) case:

Average number of hearings to get to a trial on a traffic must appear (2<sup>nd</sup> offense DUI) case:

FY 2025 MARYLAND TIME STANDARDS

Maryland Time Standards

Table I. Definition of Time Standard Terms by Case Type – CIRCUIT COURTS

Case Type Time Standard (Performance Goal)	Case Time Start	Case Time Suspension		Case Time Stop	Additional Measures
		Suspend Begin <sup>†</sup>	Suspend End <sup>††,†††</sup>		
<b>Criminal</b> <b>6 Months (180 Days)</b> <b>(98%)</b>	First of either of the two dates: ○ First Court Appearance of Defendant, or ○ Entry of Appearance by Counsel (Rule 4-271)  <u>Note:</u> Date should reflect the Hicks starting date.	Bench Warrant Issue Date	Warrant Outcome Date	<u>Charge Disposition</u> ○ Plea or Verdict (first guilty for multi-charged cases) * ○ Stet ○ Nolle Prosequi (in single-charged cases or all charges in multi-charged cases) ○ Reverse Waiver Granted ○ Found ‘Not Criminally Responsible’ ○ Probation Before Judgment	1. Arrest/Service of Summons or Citation Date to Filing 2. Filing to First Appearance 3. Plea/Verdict Date to Sentence Date
		Mistrial Date	Retrial Date		
		NCR Evaluation Order Date	NCR Finding Date or NCR Eval withdrawn		
		Petition for Reverse Waiver Date	Reverse Waiver Decision Date (Granted, Denied, Withdrawn)		
		Competency Evaluation Order Date	Date Found Competent or Competency Eval withdrawn		
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Filed Date		
		Military Leave Date	Military Return Date		
		Postponement Date Due to DNA/Forensic Evidence Unavailable	Receipt Date of DNA/Forensic Evidence		
		Date of Court Order for Psychological Evaluation	Receipt Date of the Court-Ordered Psychological Evaluation		
		Problem-Solving Court Diversion Ordered	Exit/Completion of Problem-Solving Court Diversion		
<b>Civil General</b>  <u>Foreclosure Cases</u> <b>24 Months (730 Days)</b> <b>(98%)</b>  <u>All Other Civil General Cases</u>  <b>18 Months (548 Days)</b> <b>(98%)</b>	Filing Date	Bankruptcy Filing Date (Suggestion or Notice)	Order Lifting Bankruptcy Stay Date	<u>Disposition</u> ○ Dismissal ○ Judgment ○ Order of Binding Arbitration ○ Final Order of Ratification of Auditor’s Report (foreclosure cases)	1. Filing to Service or Answer, whichever comes first
		Demand for (Non-Binding) Arbitration Date	(Non-Binding) Arbitration Reinstatement Date		
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Date		
		Military Leave Date	Military Return Date		
		Body Attachment Issue Date	Body Attachment Outcome Date		
		Mistrial Date	Retrial Date		
		Stay for Receivership	Discharge/Removal of Receivership Stay		
		Request for Foreclosure Mediation Filing Date	Foreclosure Mediation Outcome Date		

Notes :

† If a suspension event begins prior to case start and ends sometime between case start and case stop, the suspension time will begin at the case start date and end at the suspension end date. (Manual Process)

†† If a suspension begins sometime between the case start and stop date, and the case ends via dismissal or Nol Pros (prior to obtaining the suspension end date), the suspension time is calculated from suspension begin to the dismissal or Nol Pros date (i.e., case stop date). (Manual Process) ††† For Circuit Criminal cases, the date of a guilty plea (accepted by the court) can also serve as a valid case time suspension stop in the absence of other qualifying suspension stop events in a case. (Manual Process). \*New for FY 2025

### Maryland Time Standards

**Table I. Definition of Time Standard Terms by Case Type – CIRCUIT COURTS, Continued**

Case Type Time Standard (Performance Goal)	Case Time Start	Case Time Suspension		Case Time Stop	Additional Measures
		Suspend Begin†	Suspend End††		
Family Law 12 Months (365 Days) (98%)	Filing Date†††	Bankruptcy Filing Date (Suggestion or Notice)	Order Lifting Bankruptcy Stay Date	Disposition ○ Dismissal ○ Disposition of all Issues*	Circuit Court Filing to Service or Answer, whichever comes first
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Date		
		Military Leave Date	Military Return Date		
		Body Attachment Issue Date	Body Attachment Outcome Date		
		No Service in Child Support cases after 90 days from filing	Service Date in Child Support cases or Dismissal Date if Service never effected		
		Collaborative Law Filing Date	Collaborative Law Conclusion Date		
		Stay for Receivership	Discharge/Removal of Receivership Stay		
		Problem-Solving Court Diversion Ordered	Exit/Completion of Problem-Solving Court Diversion		
Juvenile Delinquency 90 Days (98%)	First Appearance of Respondent, or Entry of Appearance by Counsel	Body Attachment Issue Date	Body Attachment Outcome Date	Charge Disposition ○ Finding Delinquent/Non-Delinquent ○ Stay with Delinquent Finding ○ Jurisdiction Waived ○ Dismissal (in single-charged cases or all charges in multi-charged cases) ○ Stet ○ Probation ○ Nolle Prosequi ○ Waiver Granted ○ Change of Venue	1. Original Offense date to Filing 2. Petition Filing date to first appearance 3. Adjudication Time (Start Date to Adjudication Date)
		Military Leave Date	Military Return Date		
		Competency Evaluation Order Date	Date Found Competent		
		Mistrial Date	Retrial after Mistrial Date		
		Waiver to Adult Court Petition Filing Date	Waiver Decision Filing Date (Granted, Denied or Withdrawn)		
		Interlocutory Appeal Filing Date	Interlocutory Appeal Decision (Mandate) Filing Date		
		Pre-Disposition Treatment Program Date	Conclusion of Pre-Disposition Treatment Program Date		
		PDI Ordered Date	Receipt of PDI Report Date		
		Date of Court Order for Psychological Evaluation	Receipt Date of Court-Ordered Psychological Evaluation		
		Postponement Date Due to DNA/Forensic Evidence Unavailable	Receipt Date of DNA/Forensic Evidence		
Referral for Informal Adjustment	Informal Adjustment Completed successful/unsuccessful				

**Notes:**

If a suspension event begins prior to case start and ends sometime between case start and case stop, the suspension time will begin at the case start date and end at the suspension end date. (Manual Process) If a suspension begins sometime between the case start and stop date, and the case ends via dismissal or Nol Pros (prior to obtaining the suspension end date), the suspension time is calculated from suspension begin to dismissal or Nol Pros date (i.e., case stop date). (Manual Process). For URESA cases, use the filing date as both service and answer date, which are optional caseflow data fields. Also, use the consent date as the answer date when consents are filed with no answer. For Name Change cases, use the affidavit of publication service date or the show cause date as the answer date (optional caseflow data field) when no objection was filed. \*Post judgement is not being counted.

### Maryland Time Standards

**Table I. Definition of Time Standard Terms by Case Type – CIRCUIT COURTS, Continued**

Case Type Time Standard (Performance Goal)	Case Time Start	Case Time Suspension		Case Time Stop	Additional Measures
		Suspend Begin†	Suspend End††		
CINA Shelter††† 30 Days (100%)	Shelter Care Hearing Date o Date of Shelter Care Hearing where Petition for Continued Shelter Care was granted	Military Leave Date	Military Return Date	o Adjudication Hearing Held Date o Case Dismissal Date	1. Adjudication to Disposition 2. Removal for Permanency Planning Hearing 3. Good Cause extension to Adjudication 4. Removal to Shelter Care Hearing
		Body Attachment Issue Date	Body Attachment Outcome Date		
		Date court finds continued shelter care needed to provide for the safety of the child	30 days after hearing is held and concluded		
CINA Non-Shelter††† 60 Days (100%)	o Service of Parent(s), Guardian(s), and/or Custodian(s) (First Service Entry Date), or o Date of Shelter Care Hearing where Petition for Continued Shelter Care was Denied. (When a case started as Shelter Care, and Shelter Care Hearing was held but petition ultimately denied)	Military Leave Date	Military Return Date	o Adjudication Hearing Held Date o Case Dismissal Date	1. Removal for Permanency Hearing 2. Extraordinary Cause to Adjudication
		Body Attachment Issue Date	Body Attachment Outcome Date		
TPR 180 Days (100%)	TPR Petition Filing Date	Interlocutory Appeal Filing Date	Interlocutory Appeal Decision Date	o TPR Final Order of Guardianship (Date of Filing) o Disposition of TPR case (if order not granted).	1. TPR Petition filed to service of Show Cause Order 2. Service of Show Cause Order to Objection 3. TPR Granted to Guardianship Review Hearing
		Military Leave Date	Military Return Date		

**Notes:**

† If a suspension event begins prior to case start and ends sometime between case start and case stop, the suspension time will begin at the case start date and end at the suspension end date. (Manual Process)

†† If a suspension begins sometime between the case start and stop date, and the case ends via dismissal or Nol Pros (prior to obtaining the suspension end date), the suspension time is calculated from suspension begin to dismissal or Nol Pros date (i.e., case stop date). (Manual Process).

††† The distinction between CINA Shelter and Non-Shelter cases is made based on the child’s status (sheltered vs. non-sheltered) at the time of Adjudicatory Hearing or Case Dismissal, and the case time will be measured from Case Start Time according to the appropriate Case Start Time defined above, not necessarily the actual case start date or the federally defined case start date (date of child removed from home).

Maryland Time Standards

Table II. Definition of Time Standard Terms by Case Type – DISTRICT COURT

Case Type Time Standard (Performance Goal)	Case Time Start	Case Time Suspension		Case Time Stop	Additional Measures
		Suspend Begin*	Suspend End†,††		
Criminal Cases 180 Days (98%)  All Traffic- Must Appear 180 Days (98%)  Section 21-902 180 Days (98%)	Criminal First of either of the two dates: Initial Appearance of Defendant, or Service of Charging Document  Criminal Citations: Date Filing Entered into the System <b>Traffic Must Appear/21-902</b>  First Appearance before a Judicial Officer	FTA/Bench Warrant Issue Date	FTA Warrant Service Date/ FTA Struck	Nolle Prosequi Dismissal Stet Not Guilty/Acquittal Sentencing Abate by Death Jury Trial Prayed Found 'Not Criminally Responsible' Nolo Contendere Merge Probation Before Judgment	1. Filing to service of charging document
		Competency Evaluation	Finding of Competency or Competency Eval		
		PSI Ordered/Deferred Sentencing	Receipt of PSI/Sentence Date		
		Problem-Solving Court Diversion Ordered	Exit/Completion of Problem-Solving Court Diversion		
		Military Leave	Military Return		
NCR Evaluation	NCR Finding Date or NCR Eval				
Date of Court Order for Psychological Evaluation	Date the Psychological Evaluation was received by the Court				
Order Show Cause issued	Show Cause Recalled/Served/or Return of Service served				
Traffic Payable‡ 120 Days (98%)	Date of request for trial or waiver	FTA/Bench Warrant Issue Date	Case Reset for Trial or Ticket Paid	Nolle Prosequi Dismissal Stet Not Guilty/Acquittal Guilty Abate by death Jury Trial Prayed Nolo Contendere Merge Probation Before Judgment	1. Filing to charging
Civil Large Claims 250 Days (98%)	Service  Note: If the service date is unavailable, the date of the 'notice of intention to defend' is used as the case time start.	Stay for Bankruptcy	Bankruptcy Discharged	Entry of Judgment Dismissal Jury Trial Prayed Denied Affidavit of Judgment	
Civil Small Claims 135 Days (98%)		Passed for Settlement	Reset if Passed for Settlement		
		Military Leave	Military Return		
		Judgement of First Served Defendant***	Service of Next Served Defendant***		
Order for Stay**	Removal from Stay**				

Notes :

‡Exclude tickets "paid out" before given trial dates.

\* If a suspension event begins prior to case start and ends sometime between case start and case stop, the suspension time will begin at the case start date and end at the suspension end date. (Manual Process)

†If a suspension begins sometime between the case start and stop date, and the case ends via dismissal or Nol Pros (prior to obtaining the suspension end date), the suspension time is calculated from suspension begin to dismissal or Nol Pros date (i.e., case stop date). (Manual Process)

\*\*This suspension event is applicable to Contract and Tort cases only.

††For District Court Criminal cases, the date of a guilty plea (accepted by the court) can also serve as a valid case time suspension stop in the absence of other qualifying suspension stop events in a case. (Manual Process).

\*\*\*For Multiple Defendant Cases. Time suspended for time between judgment of one defendant and service of the next defendant. Can occur multiple times.

## Section Nine/Activity 9A: Backlog Analysis

### Purpose

The purpose of this activity is for the participants to analyze the data provided to determine the performance of the court in each scenario.

### Notes about Using the Activity

In small groups, ask the participants to complete the court scenarios. The small groups should select a recorder and a reporter. Ask the small groups to determine the clearance rate or pending goal for each court. Next, each group should make a qualitative assessment about the court and list their assessment next to performance.

Possible answers may be high, medium, poor, fast, struggling, etc. Allow 20-25 minutes for the small groups to complete the court scenarios. Allow 5-10 minutes to debrief the class about the activity and share their responses to the questions.

Faculty may consider the following questions to pose for attendees to uncover and share on the information that groups discussed during their work:

1. Which set of data or which court shows the best clearance rate?
2. Which set of data or which court shows the worst clearance rate?
3. Do you see any patterns on where the backlog occurs? What do you think of them?
4. Which courts are struggling to meet the desired clearance rate?
5. Which actions might these courts select to improve on and decrease the backlog?

### Relevant Learning Objective

7a. Evaluate the caseflow management performance.

## Backlog Analysis

For each court determine the clearance rate or pending goal as indicated in the box below the court's data. For each question, provide a qualitative assessment of its performance (e.g., high, medium, poor, fast, struggling, etc.) and note that performance in the box for each court.

### Court A – ALL CASE TYPES, ALL COURTS

Annual Filings: 98,675  
Terminations Last Year: 108,533  
Current Pending: 97,876

Clearance Rate =  
Performance =

### Court B1 – GENERAL JURISDICTION CIVIL

Annual Filings: 8,254  
Dispositions Last Year: 7,921  
Current Pending: 5,537

Clearance Rate =  
Performance =

### Court C1 – CRIMINAL

Annual Filings: 9,171  
Dispositions Last Year: 10,380  
Current Pending: 4,780  
Time Standard: 6 months  
Cases over 1 year old: 2,480

Pending Goal =  
Performance =

### Court B2 – LIMITED JURISDICTION CIVIL

Annual Filings: 8,254  
Dispositions Last Year: 8,735  
Current Pending: 5,537

Clearance Rate =  
Performance =

### Court C2 – TRAFFIC MUST APPEAR

Annual Filings: 23,734  
Dispositions Last Year: 22,590  
Current Pending: 3,866  
Time Standard 100% 3 months  
Backlog 465

Pending Goal =  
Performance =

### Court D – CIVIL TRACKS III and IV

Annual Filings: 563  
Terminations Last Year: 575  
Current Pending: 559  
Time Standard 100% 24 months  
Backlog 12

Pending Goal =  
Performance =

## Section Ten/Activity 10A: Action Plan for My Court

### Purpose

The purpose of this activity is to encourage the participants to create an action plan on how to improve caseflow management in their own court.

### Notes about Using the Activity

Depending on the makeup of the class, this activity is best done individually unless members from the same court are in the class. Then, they may serve in a group together to create the court plan. Allow at least 30 minutes for the participants to complete their plan. For a debrief, you may ask for volunteers to share what their goal is.

### Relevant Learning Objective

10a. Consider problem-solving priorities and actions for their court and will create a preliminary problem-solving list for caseflow and workflow management improvements.

Action Plan Priorities	Problem Solving Actions and Steps to Achieve Priorities
1.	
2.	
3.	
4.	
5.	

## Action Plan for My Court

Consider the current operational situation of your court's caseflow and workflow management. Prepare a preliminary action plan and action list. Include the following components:

- 1) A short-list of three to five priorities for change in caseflow and workflow practices
- 2) A list of areas in need of caseflow management changes or enhancements
- 3) Information and data needed to inform decisions and
- 4) Identify which individuals or groups, whether internal or external to the court, that need to interact with court leadership to prepare for actions

List 3 – 5 Priorities for Change to Caseflow and Workflow	List Suggested Changes to Make	List Information and Data Needed to Support the Change	List the Groups and Individuals to Interact with and Help

## Faculty Resources

### Section 1: Overview

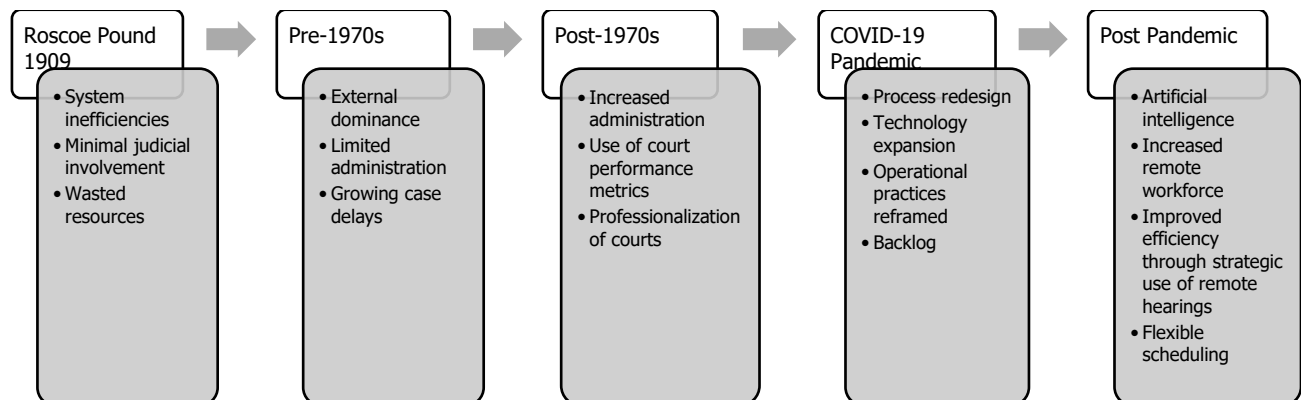
#### Fundamentals of Caseflow and Workflow Management

- *Leadership and Commitment*
- *Clear Goals and Standards*
- *Early and Continuous Court Control*
- *Communication and Collaboration*
- *Efficient Processes and Resource Allocation*
- *Monitoring and Continuous Improvement*
- *Accountability and Consistency*

#### Purposes of Courts with Caseflow, Workflow, and Leadership

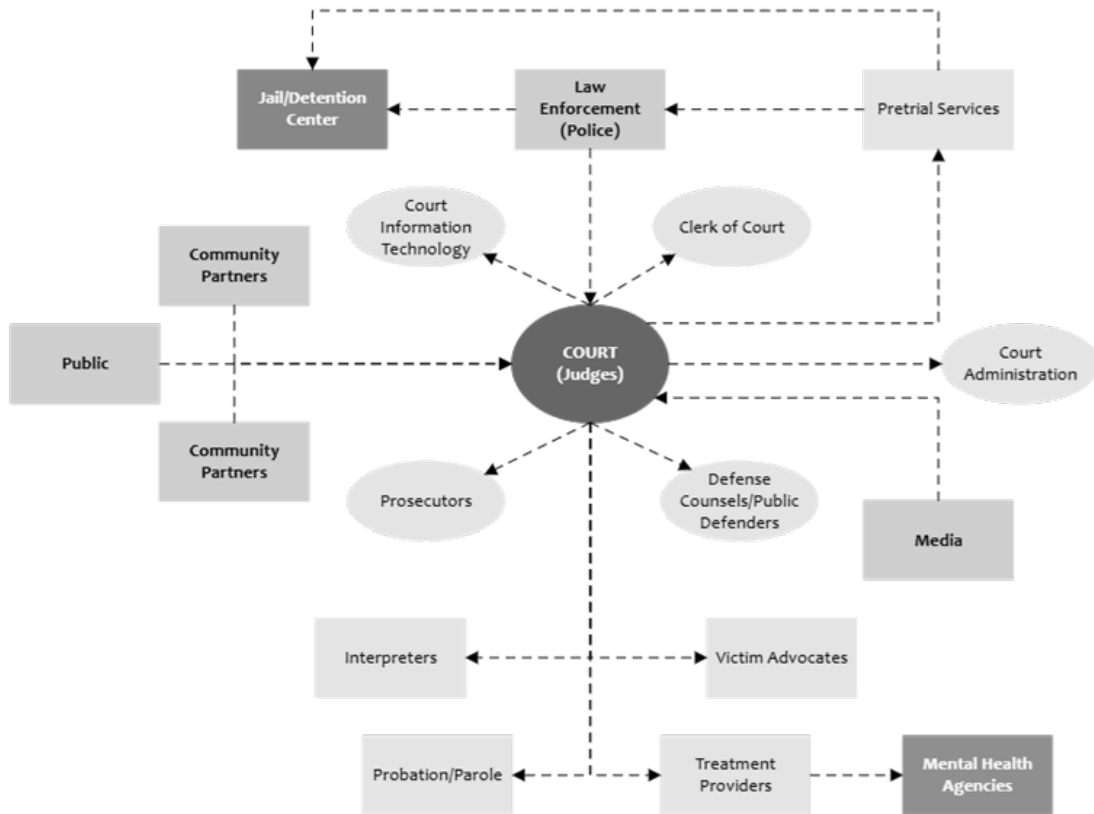
The Purpose of Courts	Caseflow, Workflow, and Leadership Implications
Promote justice in individual cases	Timely, accurate case resolution with appropriate processes
Ensure public perception of justice	Predictability, standardization, transparency, consistency in scheduling, coupled with clear communication
Provide an impartial forum	Neutral access, process integrity, bias mitigation
Protect against arbitrary government power	Procedural safeguards, process checkpoints
Provide formal record of legal status	Record accuracy and retention, case management system reliability
Deter criminal behavior	Timely, certain outcomes
Rehabilitate convicted individuals	Coordinated and integrated post-disposition workflow, integration with treatment and services, evidence-based practices
Separate individuals from society when necessary	Risk-based case handling, case review protocols
Protect vulnerable populations	Specialized case handling, trauma-informed design
Promote inter-agency coordination	Information sharing, alignment, cross-system workflow integration
Demonstrate accountability for public resources	Performance measurement and data-driven allocation

#### Historical Framework for Caseflow and Workflow Practices

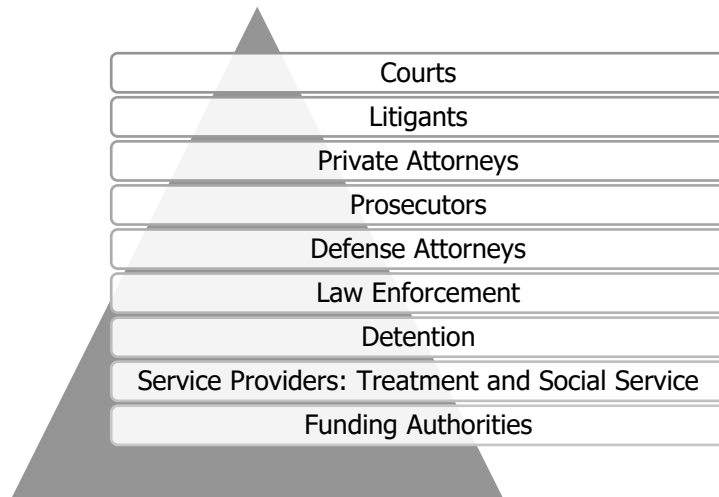


### Section 3: The Justice Universe

**An Example of a Caseflow System of Interdependencies**



**Justice System Stakeholders**

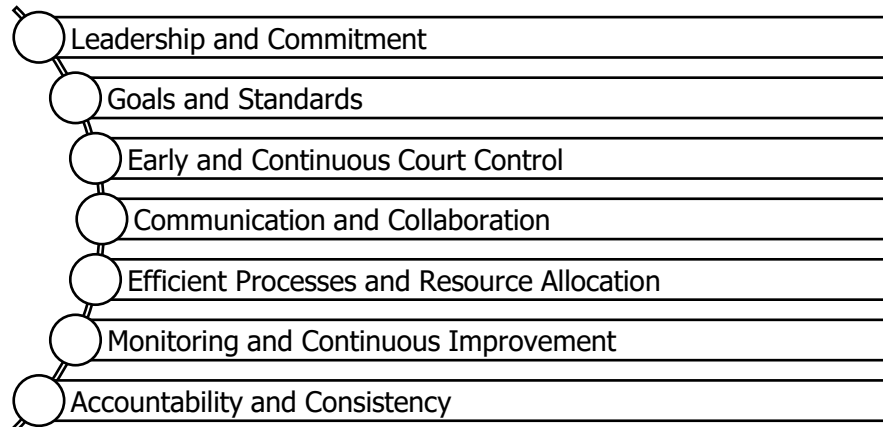


## Section 4: Principles and Practices

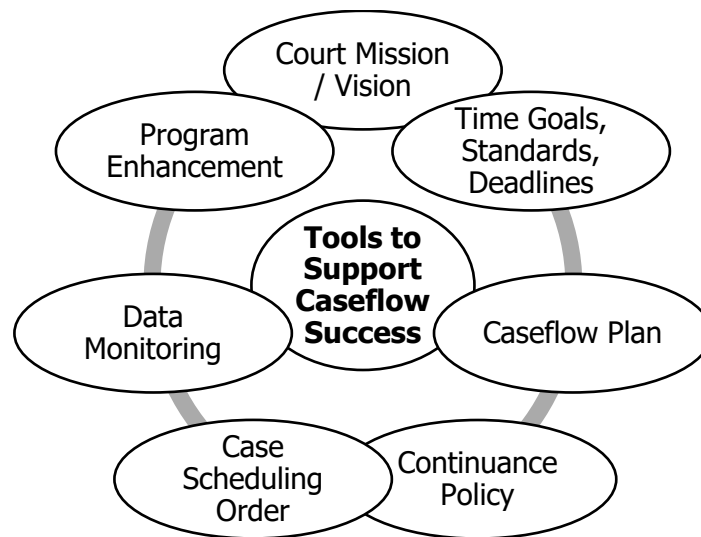
### Select Caseflow Management Practices from the 1970's to the Present

<b>Caseflow Practices</b> (Solomon, 1973)	<b>Courts that Succeed</b> (Hewitt et al, 1990)	<b>Fundamentals of Caseflow Management</b> (NCSC ICM, 2012)	<b>Caseflow Management Practices</b> (Cornell, 2021)	<b>Caseflow Best Practices</b> (NCSC, 2024)
<ul style="list-style-type: none"> <li>• Individual and collective judicial control</li> <li>• Continuing consultation with partners</li> <li>• Use of standards procedures for flow and processing</li> <li>• Adoption of a restrictive continuance policy</li> <li>• centralized caseflow management responsibility</li> <li>• Use of time/system performance standards</li> <li>• Continued measurement against goals</li> <li>• Periodic modification of practices</li> <li>• Monitoring case status from filing to termination</li> <li>• Use of techniques to minimize attorney conflicts</li> <li>• Coordination of caseflow by court leadership</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership and goals</li> <li>• Use of information</li> <li>• Judicial responsibility and commitment</li> <li>• Education and training</li> <li>• Backlog reduction and inventory control</li> <li>• Communications</li> <li>• Accountability mechanisms</li> <li>• Administrative staff involvement</li> <li>• Caseflow management procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership and vision</li> <li>• Consultation with stakeholders</li> <li>• Court supervision of cases</li> <li>• Use of standards and goals</li> <li>• Control of continuances</li> <li>• Early disposition of cases</li> <li>• Information and information systems</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership</li> <li>• Performance goals and targets</li> <li>• Case calendaring, assignment and events</li> <li>• Caseload inventory and backlog monitoring</li> <li>• Early, regular, and continuous oversight</li> <li>• Dispute resolution and settlement practices</li> <li>• Collaboration and outreach with partners</li> <li>• Communication, education, and training</li> <li>• Information sharing</li> <li>• Utilization of technology</li> <li>• Performance measurement</li> <li>• Performance management</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership and collaboration</li> <li>• Proactive and flexible case triage</li> <li>• Effective resource allocation</li> <li>• User-centered process</li> <li>• Data-driven performance management</li> </ul>

### Caseflow and Workflow Best Practices






### Tools to Support Caseflow Success



### The Application of Effective Caseflow Management Principles

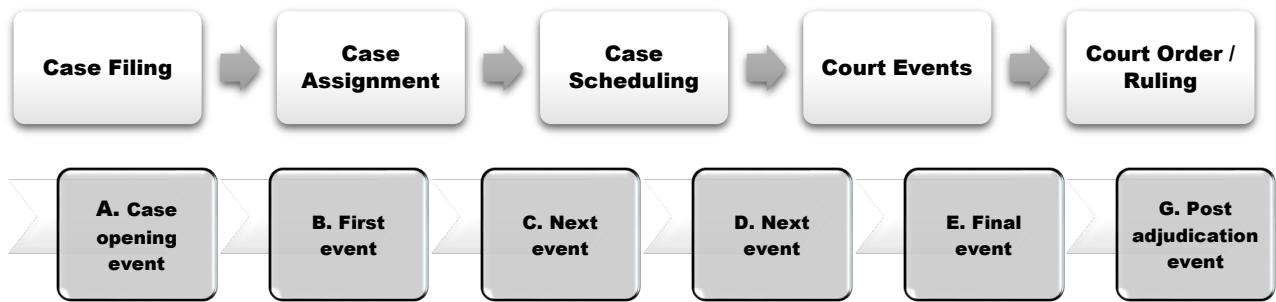
Application of Effective Caseflow Management Principles					
	1. Leadership & Collaboration	2. Proactive & Flexible Triage	3. Effective Resource Allocation	4. User-Centered Process	5. Data-Driven Performance Management
Effective Criminal Case Management	Effective leadership/governance; communication and collaboration	Early court intervention/control of path	Effective scheduling and calendaring; clear roles for judges and staff	Predictable and productive court events	Goals and information management
Civil Justice Initiative	Strong leadership and stakeholder involvement	Triage/proportionality	Case management teams and staff training; effective technology support	Court enforcement of procedural justice; process simplification	Performance measurement and transparency
The Cady Initiative for Family Justice Reform	Training and stakeholder partnership	Triage	Problem solving approach; identify and strengthen community partnerships	Problem solving approach; involve and empower parties; courts are safety and trauma responsive	Data collection, evaluation, technology innovation
National Judicial Task Force to Examine State Courts' Response to Mental Illness	Strengthen community responses and minimize criminal justice system involvement	Institutionalize alternative pathways to treatment and recovery and improve outcomes	Promote early intervention and effective management of court cases	Promote early intervention and effective management of court cases; manage post-adjudication events and transitions effectively	Facilitate evidence-based practices across systems
High Performance Court Framework	Managerial culture	Treating cases proportionately	Exercising judicial control over the legal process	Individual attention (person-centered); procedural fairness	Performance measurement and management

**Research on Caseflow Management Practices**

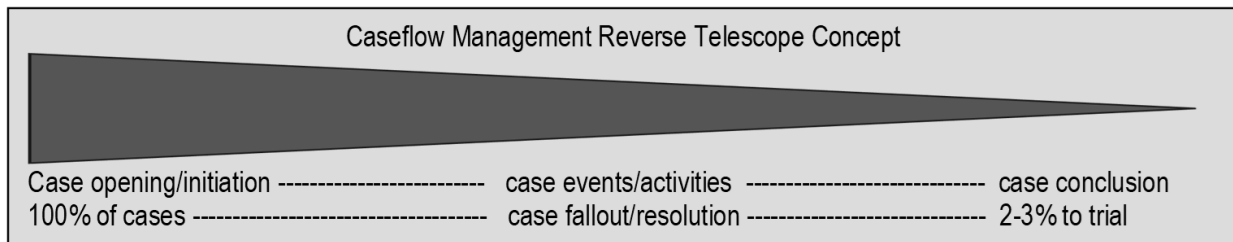
Research on Caseflow Management Practices Three NCSC Research Findings, Lessons, and Recommendations <sup>65</sup>		
Civil Justice Initiative 	Cady Family Justice Initiative 	Effective Criminal Case Management 
<i>Provides a roadmap for cost control, delay reduction, and fairness for civil litigants</i>	<i>Provides courts with validated and data-informed strategies for improving family court/domestic relations cases</i>	<i>Largest effective criminal caseflow management practices utilized in state courts</i>
Recommended Caseflow Practices		
<p>Practices</p> <ol style="list-style-type: none"> <li>5. Take responsibility for managing civil cases from filing to disposition</li> <li>6. Match resources with case needs</li> <li>7. Use mandatory pathway assignment system for right-sized case management</li> <li>8. Implement a streamlined pathway for cases with uncomplicated facts/issues</li> <li>9. Implement a complex pathway for cases with multiple legal and factual issues, many parties, or require close court supervision</li> <li>10. Implement a general pathway for cases that do not need streamlined or complex assignment</li> <li>11. Develop case management teams of judges and staff</li> <li>12. Provide case management training for judges, staff, and lawyers</li> <li>13. Establish judicial assignment criteria that are objective, transparent, and mindful of judges' experience</li> <li>14. Take advantage of technology</li> <li>15. Devote attention to high volume dockets</li> <li>16. Manage uncontested cases for steady, timely progress to resolution</li> <li>17. Take steps to increase convenience to litigants and simplify court-litigant interaction and assistance</li> </ol>	<p>Practices</p> <ol style="list-style-type: none"> <li>6. Use problem solving approach:                             <ol style="list-style-type: none"> <li>a. Empower parties</li> <li>b. Use non-traditional adversarial methods</li> <li>c. Use safety and trauma informed practices</li> <li>d. Provide information and assistance</li> </ol> </li> <li>7. Triage case filings and use pathway assignments                             <ol style="list-style-type: none"> <li>a. Use service-based pathways</li> <li>b. Streamlined and tailored services</li> <li>c. Specialized pathway</li> </ol> </li> <li>8. Provide training and stakeholder partnerships                             <ol style="list-style-type: none"> <li>a. Training for stakeholders</li> <li>b. Identify and strengthen community partnerships</li> </ol> </li> <li>9. Utilize data collection, evaluation and technology innovation                             <ol style="list-style-type: none"> <li>a. Improve data collection, analysis and use</li> <li>b. Collect and analyze user-evaluation metrics</li> <li>c. Implement innovative and appropriate technology</li> </ol> </li> </ol>	<p>National Results Indicate:</p> <ol style="list-style-type: none"> <li>6. Court policies and practices affect timeliness of cases</li> <li>7. Becoming a high-performance court starts with gathering information to appraise the results of current practices, make changes, and measure progress toward court goals</li> <li>8. Courts are more alike than different</li> <li>9. What works in successful courts can be used in other courts</li> <li>10. All courts have the potential to manage criminal cases effectively and improve how justice is served</li> </ol> <p>Elements of Effective Caseflow Management</p> <ol style="list-style-type: none"> <li>6. Ensure leadership and governance</li> <li>7. Seek early court intervention and control</li> <li>8. Have predictable and productive court events</li> <li>9. Use goals and information management</li> <li>10. Use communications and collaboration</li> </ol> <p>Lessons Learned</p> <ol style="list-style-type: none"> <li>6. Provide clear expectations</li> <li>7. Use early resolution</li> <li>8. Have early appointment of counsel</li> <li>9. Use plea cutoff date practices</li> <li>10. Use trial date certainty</li> </ol>

65 Content adapted from Institute for Court Management. (2021). *Caseflow and workflow management (Virtual course)*.

**Sample Case Flow Charts**



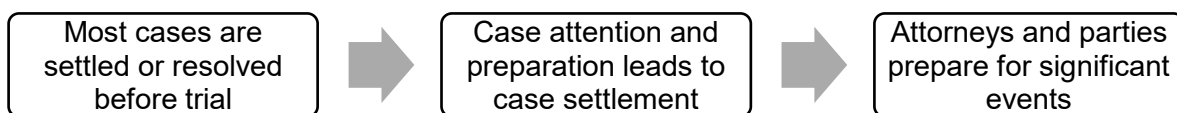
**Caseflow Management Reverse Telescope Concept**



**Performance Standards for Expected Outcomes**

Performance Goals and Standards or Benchmarks for Expected Outcomes	Macro - for the system as a whole
	Micro - for individual dockets and cases
	Targeted - for key or focused performance areas

**Premises and Axioms Supporting Caseflow Practices**



### Case Calendaring Methods

Individual	Case assignment to an individual judge or docket from filing to final closure – the individual calendar system
Centralized or Master	Assignment of cases to a specific judge or team of judges centrally and early in the life of the case, and assignment to another judge for specific case actions or stages, or for trial – the master calendar system and
Hybrid	Case assignment using a hybrid system with some combination of the individual and master structure - the hybrid calendar system

**Case Dispute Resolution Processes**

Dispute Resolution Process	Elements and Description
Arbitration	Private party/arbitrator makes decision on case Parties present respective cases for consideration Process is quicker and less formal Decision may be binding or nonbinding
Case Evaluation	Private parties present case to experienced neutral evaluator Evaluator advises parties on case strengths and weaknesses Parties may use feedback to reach a mutually agreeable result
Collaborative Law	Collaborative out of court settlement Parties and their lawyers try to reach an agreement
Cooperative Practice	Parties and lawyers begin the case (pre filing) with common commitment of creatively settling all issues Processes are flexible and may be formal or informal, orally or in writing If no agreement is reached, a mediator may be hired
Court Appointed Neutral	Court appointed neutral supervises those under court order for adherence to order terms and reports to the judge
Divorce Coaching	Professional divorce coaches provide support, motivation, and goal-oriented process to guide parties to decisions
Early Neutral Evaluation	Case referral to a neutral expert soon after case filing Expert provides balanced and unbiased evaluation of dispute
Family Group Conference	Meeting between members of a family or kinship Goal is to make a plan to stop abuse or other ill treatment Objective is to resolve the issue without leaving decisions to legal authorities
Mediation	Private mediator helps parties discuss dispute issues Process is usually voluntary Mediator does not have power to make decisions Process is flexible and may be formal or informal Process may involve joint or separate meetings
Mini Trial	Use of a private, consensual setting with brief presentations of the case as if at trial Case presentations are observed by a neutral advisor and representatives from each side, who have authority to settle If no settlement, the neutral may serve as mediator
Multi Door Program	Cases are referred by the court to appropriate options for dispute resolution Goals are to provide parties with easy access to justice and reduce delay
Negotiation	Voluntary and informal process where parties identify issues of concern, explore options, and search for an agreement Disputing parties and their attorneys participate without a neutral
Neutral Fact Finding	Neutral third party, selected by the court or parties, investigates the issues and reports or testifies to the court
Ombuds	Representative who advocates on behalf of a designated constituency May perform investigation within professional standards of practice
Parenting Coordination	Court appointed neutral who supervises to ensure adherence to the court order and work out problems in compliance May accompany peace officers Reports to the court
Pro Tem Trial	Court appointed attorney to serve as a temporary judge for a trial Each side will follow the same rules and legal procedures as a trial Temporary judge will make a decision
Private Judging	Disputing parties retain a neutral person as a private judge to hear the case and make a decision Private judge is usually a former judge with expertise
Settlement Conference	Meeting where the assigned judge presides over the process Goals include settling the case before trial Third party neutral assists the parties to explore settlement options
Summary Jury Trial	Attorneys for each side make presentations to a mock jury, party representatives, and a judge/magistrate Mock jury renders an advisory verdict that may lead to settlement
Unbundled Legal Services	Licensed lawyers on specific tasks or representation for clients Tasks may include evaluation, research, advising, informing about court processes, appearing in court

## Section 5: Adaptive Case Handling

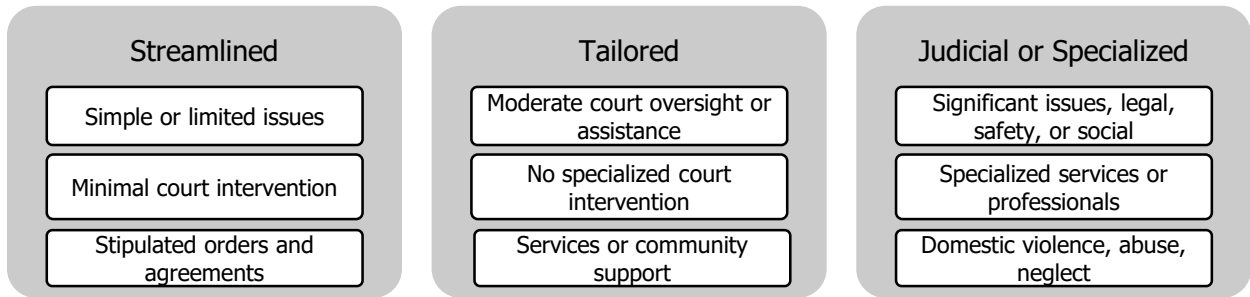
### Examples of Differentiators Useful for Evaluating Cases

<input type="checkbox"/> Case type or case subtype <input type="checkbox"/> Length of trial <input type="checkbox"/> Number and types of parties	<input type="checkbox"/> Legal issues in dispute <input type="checkbox"/> Length of discovery <input type="checkbox"/> Media or public interest
<b>Civil System Differentiators</b> <input type="checkbox"/> Self-representation <input type="checkbox"/> Power balance <input type="checkbox"/> Mediation or arbitration likelihood <input type="checkbox"/> Novel or specialized legal issues <input type="checkbox"/> Case complexity or volume of legal issues, ex: multi district litigation, medical malpractice, mass-torts, special litigation (water or land disputes)	<b>Criminal System Differentiators</b> <input type="checkbox"/> In-custody defendant <input type="checkbox"/> Self-representation <input type="checkbox"/> Violation of probation/parole <input type="checkbox"/> Prior diversion <input type="checkbox"/> Probability of plea <input type="checkbox"/> Indigency <input type="checkbox"/> Evidence testing
<b>Family System Differentiators</b> <input type="checkbox"/> Self-representation <input type="checkbox"/> Family history <input type="checkbox"/> Parenting <input type="checkbox"/> Abuse or violence <input type="checkbox"/> Substance abuse <input type="checkbox"/> Education history <input type="checkbox"/> Complex business holdings	<b>Juvenile System Differentiators</b> <input type="checkbox"/> Family history <input type="checkbox"/> Parenting <input type="checkbox"/> Education <input type="checkbox"/> Representation <input type="checkbox"/> Abuse or violence <input type="checkbox"/> Substance abuse <input type="checkbox"/> Violations of juvenile probation/parole














### Differentiated Case Management Tracks

Track 1 - Simple, Basic, or Expedited - Uncontested issues (20% of caseload, short timeline)
Track 2 - Standard or Traditional - Contested issues, average court time (75% of caseload, median timeline)
Track 3 - Complex - Contested issues, discovery, extensive court time needed (5% of caseload, longest timeline)

**Case Pathway Descriptions**



**Differences: Calendars, Specialty Calendars, Specialty Courts, DCM, and Pathways**

Docketing and Calendars	Specialty Calendars	Specialty Courts	Differentiated Case Management	Triage and Pathways
 A A A A B B B B C C C C 	 A A A A A A A A A A A A 	  	  	  

## Section 6: Calendars and Scheduling

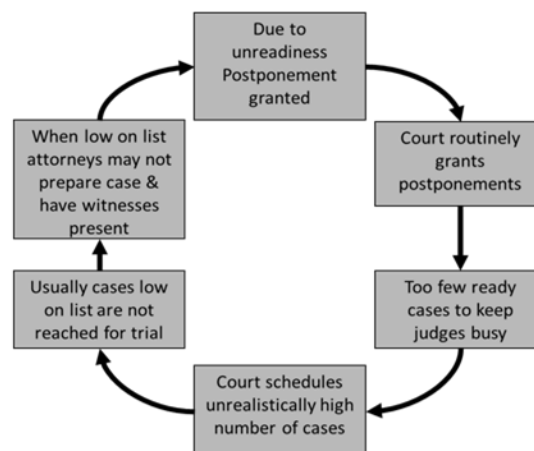
### Calendaring Systems

Model	Description	Advantages	Challenges
<b>Individual</b>	Cases follow one judge from start to finish	Continuity; accountability	Delays if judge unavailable
<b>Centralized (formerly Master)</b>	Cases scheduled from a central office	Efficiency; flexibility	Less continuity for litigants/attorneys
<b>Team/Hybrid</b>	Judges share cases within a team	Shared responsibility; flexibility	Requires coordination

### Court Examples of Calendaring Systems

Jurisdiction	Calendaring Model	Technology Use	Challenges
Las Vegas Justice Court (Limited)	Centralized/High-volume, CMS-integrated	CMS, automated orders, online access	Volume management, continuity for litigants
Philadelphia (General/Urban)	Team/Hybrid with strong case mgmt reforms	Dashboards, team scheduling, automation	Complex caseload, bar coordination
Cook County, IL (General/Urban)	Hybrid with specialty divisions	Integrated e-filing, specialty court CMS	Large caseload, fragmented systems
Harris County, TX (General/Urban)	Dynamic CMS, dashboards, smart scheduling	AI pilots, predictive analytics, eDiscovery	High complexity, resource allocation
Rural Courts	Individual calendaring with flexibility	Video hearings, state-level CMS support	Resource shortages, geographic access
Appellate Courts	Panel-based, structure by statutory deadline	Appellate CMS (C-Track), strict timelines	Volume of appeals, strict statutory controls

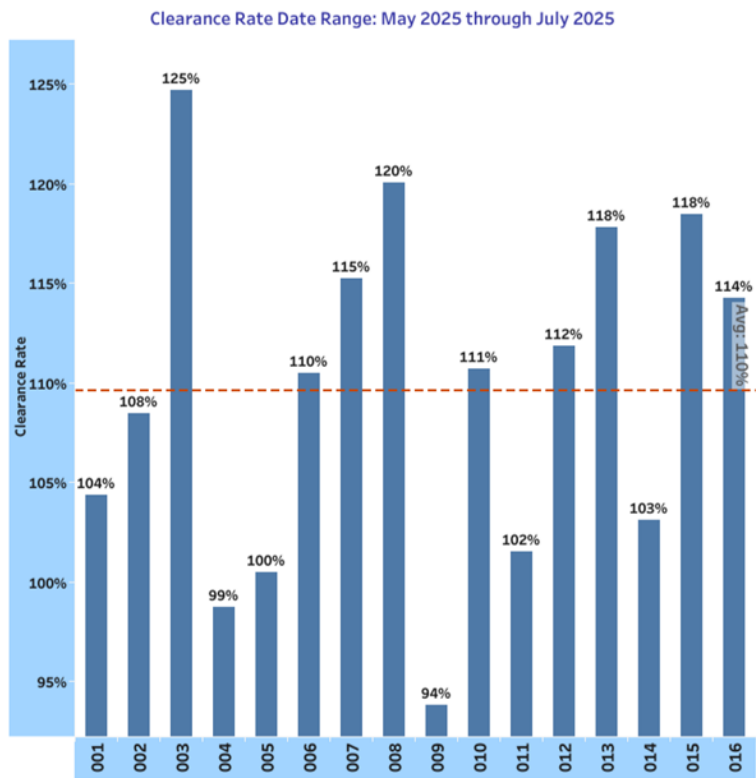
### The Postponement (Continuance) Conundrum



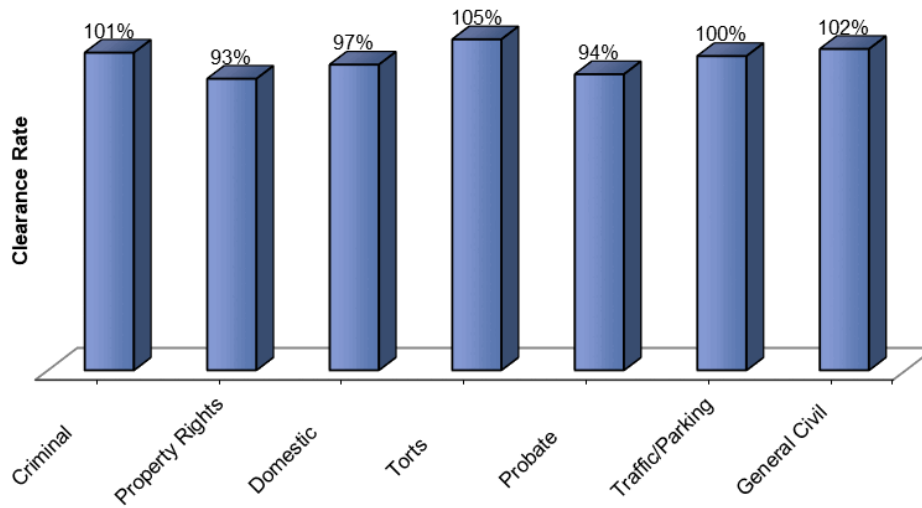
## Section 8: Performance and Accountability

### Clearance Rate Illustration

Court	Incoming cases	Outgoing cases	Clearance Rate
001	845	882	104%
002	862	935	108%
003	860	1,072	125%
004	852	841	99%
005	1,277	1,283	100%
006	848	937	110%
007	866	998	115%
008	859	1,031	120%
009	858	805	94%
010	832	921	111%
011	842	855	102%
012	844	944	112%
013	838	987	118%
014	843	869	103%
015	836	990	118%
016	856	978	114%



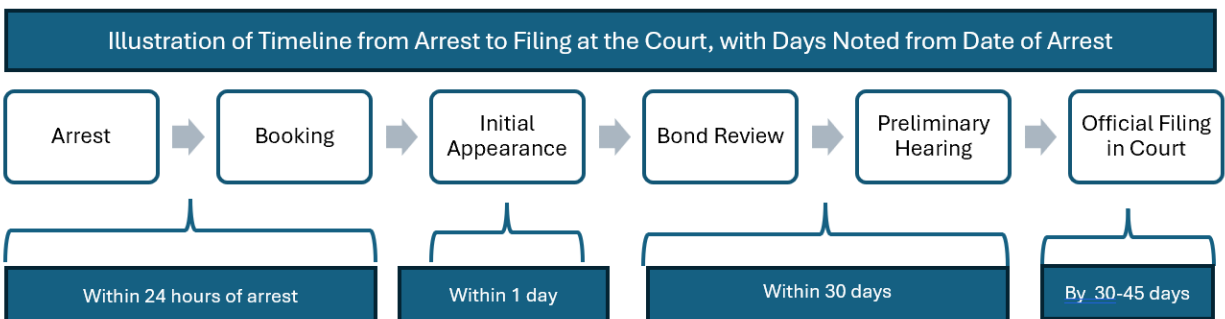
### Clearance Rate: All Cases FY22 (July 1 - June 30)



**Use of Clearance Rates to Balance Resources and Assignments**

FY 2025					
CIRCUIT COURT					
Case Type	Pending Start	New Filings	Dispositions	Pending End	Clearance Rate
CIVIL	812	1710	1490	1032	87%
CRIMINAL	2309	3985	4087	2207	103%
FAMILY	1916	3110	2898	2128	93%
JUVENILE	93	611	643	61	105%

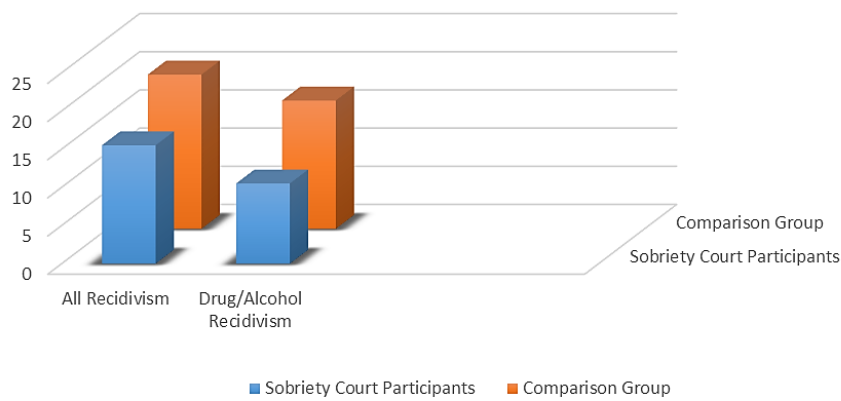
**Illustration of Timeline from Arrest to Filing**



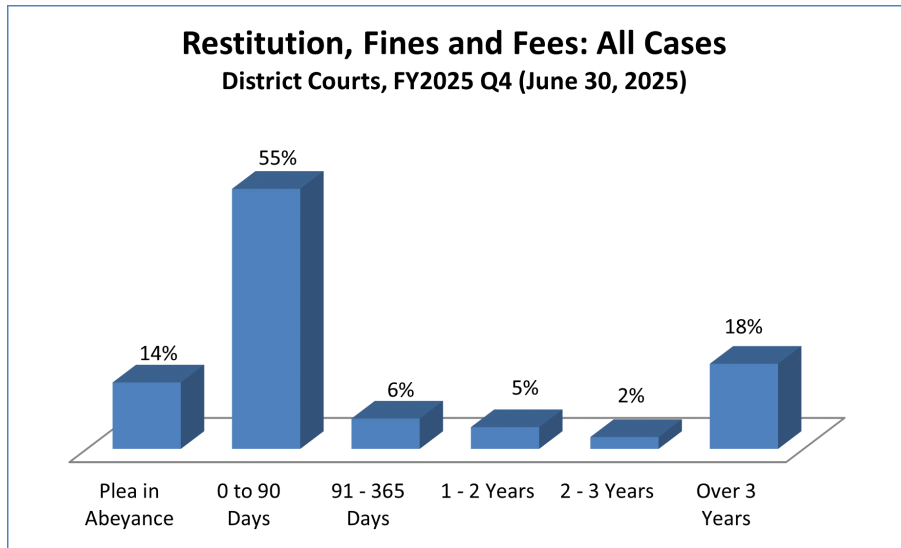
**Effective Use of Targeted Standards for Recidivism Rates**

<b>Sobriety and Drug Court Recidivism Rates</b>	<b>Prior</b>	<b>Current</b>	<b>Target</b>	
<b>Why it Matters</b>				
Sobriety court 2-year, drug/alcohol conviction	10%	3%	0%	↑
Sobriety court 2-year, any new conviction	16%	4%	0%	↑
Sobriety court 4-year, drug/alcohol conviction	15%	8%	0%	↑
Sobriety court 4-year, any new conviction	18%	10%	0%	↑
District drug court 2-year, drug/alcohol conviction	10%	5%	0%	↑

**Four-Year Recidivism Rate (%) for Sobriety Court Participants and Comparison Group**



**Technique for Measuring Outcomes: Payment of Restitution, Fines and Fees**



## Section 9: Information and Diagnosis

### Application of Data Governance Practices

Core Components of Data Governance	Uses of Data in the Courts	Outcomes of Effective Data Use
1. Clearly defined roles and responsibilities for data ownership	1. Caseflow Management	1. Improved case processing
2. Established data governance Team/Committee	2. Court Operations	2. Effective resource management
3. Established policies to maintain high data quality	3. Court leader/ justice partner data requests	3. Consistent and timely responses to data requests
4. Established policies covering the entire data life cycle	4. Public data requests	4. Increased trust and confidence in the Judiciary
	5. AI/predictive analytics	5. Improved individual case outcome

### Suggested Actions for Improvement or Elimination of Backlog

\$	\$\$	\$\$\$
Triage cases to identify those that can be resolved quickly	Increase bench time for judicial officers, offload non-bench responsibilities to other staff	Implement/expand e-filing
Dedicate staff to a dismissal docket	Offer a traffic ticket amnesty event	Increase the number of judicial officers
Target older cases with designated staff	Establish and send text reminders of court events	Hold longer in-person court hours (e.g., night court or Saturday court)
Track & reduce the average number of continuances	Ensure notice received prior to court date	Build in a diversion to mental health treatment option (criminal)
Track and reduce the number of appearances	Require case scheduling order on all open or backlogged cases	Add/increase court case managers responsible for caseflow management
Review resources/best practices for helping self-represented litigants	Dedicate staff to helping self-represented litigants be ready for court	

### Comparing Court Information Across Multiple Courts and Jurisdictions

CIVIL FILINGS & DISPOSITIONS FISCAL YEAR 2024						
Court	Pending Start	Filings	Dispositions	Clearance Rate	Pending End	Pending Goal Civil
A	241	541	559	103%	223	406
B	80	206	230	112%	56	155
C	246	585	621	106%	210	439
D	109	327	329	101%	107	246
E	172	268	202	75%	238	201
F	483	847	762	90%	568	636
G	156	251	268	107%	139	188
H	102	262	302	115%	62	197
I	97	198	214	108%	81	149
J	7631	6105	6456	106%	7280	4583

#### Pending Caseload Goal

$$\text{Pending Caseload Goal} = \frac{\text{Annual Filings} \times \text{Time Standard}^*}{2}$$

#### Example

Civil time standard = 98% in 18 months (548 days)

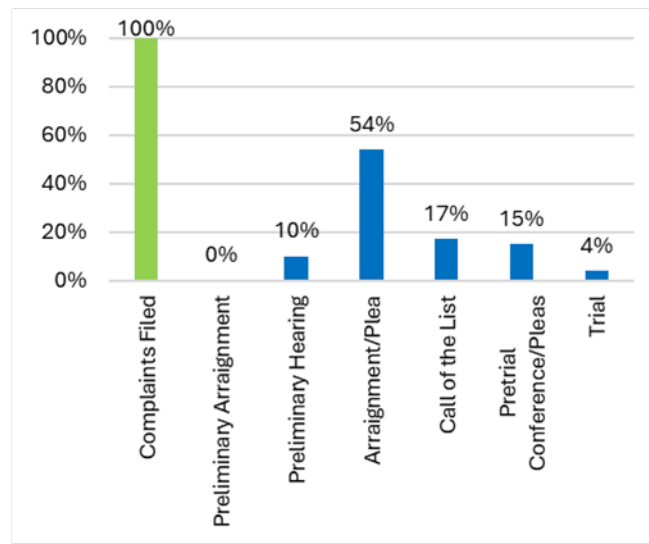
$$\text{Pending Caseload Goal} = \frac{8,944 \text{ cases}^{**} \times 548/365}{2}$$

$$\text{Pending Caseload Goal} = 6,708 \text{ cases}$$

\*Expressed as a fraction of a year for the 98<sup>th</sup> percentile case

\*\*Annual filings in a hypothetical court

### Examples of Outcomes of Case Processing by Hearing Events



**Event 3  
Preliminary Arraignment  
100% remain**

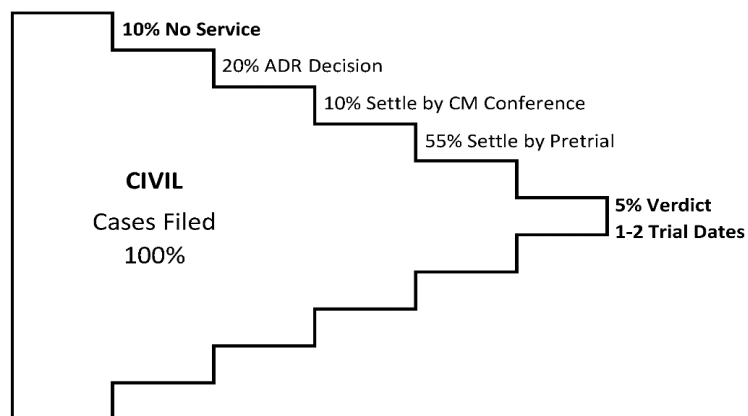
2,674 criminal cases filed  
3,453 complaints filed  
(including private complaints)  
56% of 4,814 arrests

**Event 4  
Preliminary Hearing  
90% remain**

Dispositions  
159 guilty pleas (5%)  
173 withdrawals (6%)  
22 dismissals (1%)

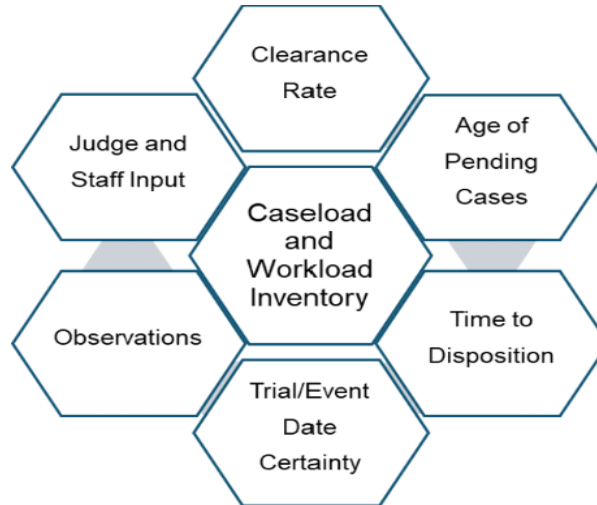
3,442 scheduled  
2,086 waivers (60%)  
766 continuances (22%)  
223 Held for court (6%)  
Other (4%)

### Reverse Telescope



## Section 10: Problem Solving for Caseflow and Workflow Improvements

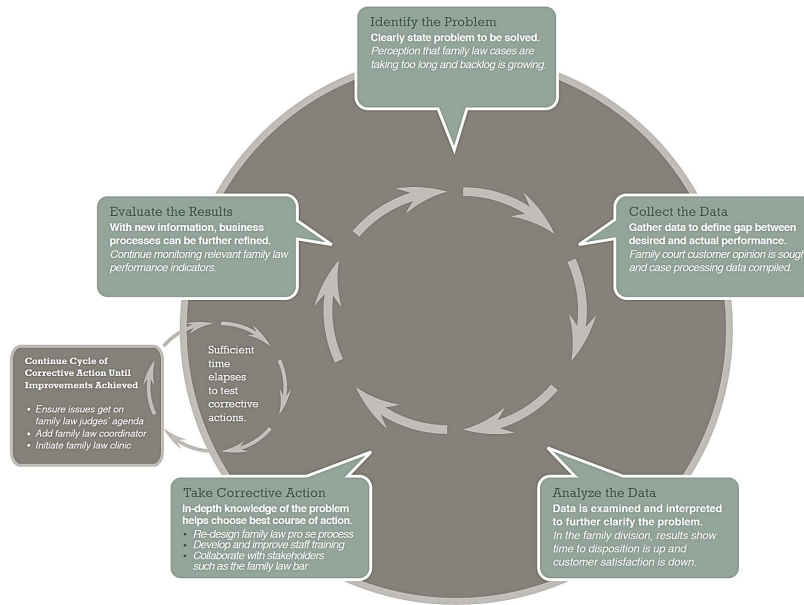
### Caseload and Workload Inventory Areas



### Suggested Actions for Improvement or Elimination of Backlog

\$	\$\$	\$\$\$
Triage cases to identify those that can be resolved quickly	Increase bench time for judicial officers, offload non-bench responsibilities to other staff	Implement/expand e-filing
Dedicate staff to a dismissal docket	Offer a traffic ticket amnesty event	Increase the number of judicial officers
Target older cases with designated staff	Establish and send text reminders of court events	Hold longer in-person court hours (e.g., night court or Saturday court)
Track & reduce the average number of continuances	Ensure notice received prior to court date	Build in a diversion to mental health treatment option (criminal)
Track and reduce the number of appearances	Require case scheduling order on all open or backlogged cases	Add/increase court case managers responsible for caseflow management
Review resources/best practices for helping self-represented litigants	Dedicate staff to helping self-represented litigants be ready for court	

### Ongoing Problem-Solving Cycle



## Sample Documents

### Sample Caseflow Management Plan

Caseflow Management is the oversight and supervision by the court of the continuum of processes necessary to move a case from filing to disposition regardless of the type of case or disposition.

1. Goals of the Court In accordance with the directives of the judicial branch and the Court's leadership, the Court adopts the following Caseflow Management Plan. This plan establishes that the Court is responsible for managing the flow of cases and pace of litigation in the adjudication process. The plan will assist in achieving Court goals to maximize efficiencies in the movement of cases from filing to disposition, to reduce unnecessary delay, and to ensure the rights of all litigating parties are protected consistent with the due process of law, constitutional requirements, Judicial Branch policies, and the laws of the State of California. Specific objectives of the plan include:

- Expedite the disposition of all cases consistent with fairness to all parties;
- Minimize the uncertainties associated with processing cases;
- Assure equal access to the adjudication process for all litigants;
- Ensure the resolution of matters is guided by what is permissible under law, by defined standards of service, and by balancing the needs of the individual and society; and
- Enhance the quality of litigation.

The Court operates with an individual (direct set) calendar in handling all felony and civil matters. Judges handling felony calendars will be assigned cases after initial appearance and manage those cases through all preliminary hearings, pretrials, and trial phases to and including disposition. All violations of probation where no new charges are filed will be assigned to a separate probation violation calendar for disposition. Violations of probation where new charges are filed will be randomly assigned to a felony calendar.

The judge(s) handling civil cases will not be expected to manage or try felony cases except in exigent circumstances. The civil trial judge(s) will oversee and promote court-annexed alternative dispute resolution programs as part of the civil caseflow. The court executive officer will provide, as possible, an ADR coordinator to manage and monitor civil ADR activity to ensure timely case processing.

#### 2. Case Processing Time Standards

A. The court adopts time standards for case processing to include the following [Insert agreed upon standards by the bench for various case types]

B. The court adopts a case management system that provides for similar types of cases to be tracked with specific time constraints. The court adopts intermediate goals governing the time between monitorable events in felony cases as follows...

- The preliminary examination and bind-over shall be within \_\_\_ days of the initial arraignment on the complaint or warrant;

The arraignment on the information shall be within \_\_\_ days of the preliminary hearing;

- A criminal settlement conference shall be set and conducted within \_\_\_ days of the arraignment on the information or warrant. At the settlement conference, the assigned judge will actively engage the attorneys and parties in plea discussions and negotiations as well as likely sentencing options available to the court consistent with the facts of the case and sentencing guidelines or requirements pursuant to applicable California law;

- The motion filing deadline shall be within \_\_\_\_ days of the arraignment on the information or warrant;
- A motion hearing and final conference shall be set and conducted within \_\_\_\_ days of the arraignment on the information or warrant at which time any amended or reduced plea offer shall be suspended by the prosecutor and no longer entertained by the court; and
- The trial date shall be within \_\_\_\_ days of the arraignment on the information or warrant.

C. The court adopts intermediate goals governing the time between monitorable events in general (unlimited) civil cases as follows...

- Immediately upon filing, a general civil case shall be ordered into mandatory alternative dispute resolution (ADR) program as outlined in the court's rules;
- Should ADR be unsuccessful in resolving the case within \_\_\_\_ days of referral, the court shall schedule a case management conference before a civil trial judge no later than \_\_\_\_ days after the return of the case to the civil trial calendar;
- At the case management conference the court shall develop a formal trial management order delineating the steps and time periods pertaining to discovery, motions and other pre-trial preparations, and shall set a firm trial date.
- Unless unusual circumstances exist, civil trial dates shall be set no later than \_\_\_\_ days after referral to the civil calendar.
- Complex civil cases may be set only upon petition to and approval by the court's presiding judge.

#### Adjournment or Postponement Policy

- A. Adjournment or postponement means the delaying of a scheduled hearing to a later date without accomplishing the original purposes of the hearing.
- B. Continuance means the resuming of hearing or court event that has commenced or started but not finished.
- C. It is the policy of the court that adjournments or postponements are limited to those parties demonstrating verifiable good cause. All requests for adjournments or postponements must be decided by the assigned judge or his/her designee. Adjournments granted shall be classified as such by court staff and tracked by lawyer or party name, time delay requested, and reason(s) given.
- D. A maximum of two (2) adjournments or postponements may be given by any judge or judicial officer initially or subsequently assigned to a felony or general civil case. All further adjournment requests shall be calendared before a specially designated Postponement Judge for a decision on the record. A transcript or abbreviated record of the proceedings and decision as determined by the Presiding Judge shall be created and transmitted in a timely fashion to the affected parties and the supervisors or managing partners of any lawyer(s) requesting the postponement.

Trial Scheduling Firm trial dates shall be set at the criminal settlement conference or civil case management conference. To avoid future scheduling conflicts, attorneys must be able to confirm their trial date availability at the conference.

Backlog Reduction. A backlog reduction effort is part of this caseflow management plan. Based on available case processing data, the court intends to reduce the age of cases already pending before the court as well as avoid delay in newly filed cases. An inventory of older cases by current status, relative complexity and actions necessary to close them will be initiated. As possible temporary additional judicial resources will be acquired, special settlement weeks set, dispositions expedited, ADR programs instituted, and short scheduling for intense judicial attention arranged.

Statistical Reports on the Pace of Litigation. Court administration shall provide to each judge and judicial officer on a monthly basis a case tracking report that will identify for each judicial calendar the

age of the pending/assigned cases, the number of cases pending over the time standards by judicial officer, the age of cases at each major monitorable event, time intervals between major monitorable events, exception reports regarding languishing or older cases, and delay assessment reports identifying delay “hot spots” on individual calendars.

Implementation. Successful implementation of this plan and achievement of the goals herein require...

- A policy level commitment from the bench and critical justice system stakeholders to the concepts and precepts contained in it;
- The establishment and oversight of a caseflow management committee to guide and oversee the implementation;
- A scheduling policy which assures that trials and other hearings will occur as scheduled;
- Interim time standards of case processing in felony and general civil matters during the implementation stage; and
- The revamping, as possible, of the court’s case management system and/or the ability of the court staff to effectively track and monitor the processing of cases, especially felony and unlimited civil matters.

Caseflow Improvement Work Groups. As necessary, the presiding judge may establish one or more formal Caseflow Improvement Work Groups composed of judges, the court executive officer, appropriate court staff, and representatives of the justice system agencies interacting with the Court. The purpose of such groups is to assist and support individual judges in managing their dockets, gather data on case processing improvements, and provide ideas and strategies for reforming the pace of litigation in the Court to reduce unnecessary delay and inefficiencies in the pace of litigation within criminal and civil justice system in the jurisdiction.

Adapted from the National Association for Presiding Judges and Court Executive Officers. (n.d.). *Caseflow management plan (Sample)*. NAPCO. <https://napco4courtleaders.org/wp-content/uploads/2018/11/CV-CR-Caseflow-Management-Plan-Sample.pdf>

## Sample Continuance Policy

### Continuance Policy for Civil Cases

- All civil continuance requests must be submitted in writing.
- The court's [Request for Court Action Form](#) is available to use for continuance requests.
- The continuance date must be an available date provided by the clerk's office. Continuance requests should be made as far in advance as possible.
- If the request is an agreed *first* continuance request from the regular or trial docket and is received at least four business days in advance of the court date, then the request will be sent to chambers for the case to be continued, pending availability of the chosen date. *Second or subsequent* continuance requests, agreed to by all parties and received at least four business days before the court date, will be forwarded to chambers to be *approved or denied* before court. The decision whether to continue the case lies within the discretion of the court. If the request is denied, the case will remain on the docket on its originally scheduled date.
- If the agreed continuance request is not received at least four business days in advance of the court date, then the request will be sent with the case into court on the upcoming court date. On the court date, the judge will approve or deny the request per the guidelines set forth in the previous paragraph.
- Continuance requests for cases set on the Long Trial Docket, agreed, or opposed, must be made by personal appearance in open court, after written motion, with at least five days' notice to the court and all parties and/or counsel of record, and will only be granted for good cause shown.
- Continuances requested without agreement of all parties may be granted only by a judge for good cause shown. Contested continuance requests must be made by personal appearance in open court, after written motion, with at least five (5) days' notice to the Court and all parties and/or counsel of record. Continuance requests that are not agreed to or noticed for a hearing will be sent with the case into court on the upcoming court date and the judge will approve or deny the request at that time. If the judge determines there is no good cause for the continuance, the case will be heard on its originally scheduled date even if all parties are not present.
- For Small Claims, trials are heard on the initial return date. Prior to the initial court date, a continuance may be granted if the new date is available (available date provided by the clerk's office) and agreed to by all parties. Continuances requested without agreement of all parties may be granted for good cause shown.

Adapted from Fairfax County General District Court. Fairfax County Virginia. (n.d.). *Continuance policy (Civil)*. <https://www.fairfaxcounty.gov/generaldistrict/civil/continuances>

## Sample Case Scheduling Orders

_____ COURT	
Plaintiff/Petitioner	Case Number CV: _____
Defendant/Respondent	
<b>PROPOSED SCHEDULING ORDER</b> (Outline of order content)	
The Court orders as follows:	
1. Initial Disclosure: Date or deadline for parties to exchange disclosure statements.	
2. Expert Witness Disclosure.	
A. Areas of expert testimony. Date parties will disclose areas of expert testimony.	
B. Identity and opinions of expert witnesses. Date the parties will disclose experts' identities and opinions.	
C. Opinions of rebuttal expert witness. Date the parties will simultaneously disclose their rebuttal expert opinions.	
3. Lay (Non-expert) Witness Disclosure. Date the parties will disclose lay witnesses.	
4. Final Supplemental Disclosure. Last date the parties will provide supplemental disclosure.	
5. Discovery Deadlines. Dates parties agree to propose for discovery matters.	
6. Settlement Conference or Private Mediation. Indicate type of settlement conference.	
A. Private mediation. Date mediation will be finished.	
B. No settlement conference	
7. Dispositive Motions and Trial. Date all dispositive motions will be filed. Date proposed for trial. Number of days the parties believe the trial will last.	
8. Trial Setting Conference. The Court will provide the date.	
9. Firm Dates. No stipulation of parties that alters a filing deadline or hearing date in this scheduling order will be effective without an order of this court, and approval of a stipulation. Dates in this order are firm dates and may be modified only by court order and for good cause.	
10. Further Orders. Use the lines to describe any other matters you propose be addressed by the Court before the Court issues the order.	
11. Signature:	
Form adapted from the Superior Court of Arizona, Maricopa County. <a href="http://superiorcourt.maricopa.gov">superiorcourt.maricopa.gov</a> <a href="#">Proposed Scheduling Order</a>	

STATE OF _____ COUNTY OF _____		IN DISTRICT COURT _____ DISTRICT
State of _____,	)	
	)	Pretrial Scheduling Order
Plaintiff,	)	
vs.	)	Case No.
	)	
	)	
Defendant.	)	
1) <b>Motions:</b> All trial motions must be filed and noticed for hearing in accordance with _____ Rules. Motions will be heard in conjunction with the Pretrial Conference. The deadline to file motions shall be _____ at 5:00 pm. The deadline to respond to motions shall be _____ at 5:00 pm.		
2) <b>Pretrial Conference:</b> This case has been set for a Pretrial Conference on _____ at 1:30 pm at the _____ County Courthouse, _____ .		
3) <b>Change of Plea:</b> To be scheduled in conjunction with the Pretrial Conference or upon request for a different date. <b>NOTE:</b> Change of plea entered <i>after</i> the Pretrial Conference will be to the original charge only and then only on an open plea basis.		
4) <b>Jury Trial:</b> Trial shall be scheduled at the Pretrial Conference if no plea agreement is reached.		
5) Motions for continuance must be made in accordance with Rules _____		
BY THE COURT:		
_____ Judge of the District Court		

Form adapted from the State of North Dakota, Pretrial Scheduling Order.

## Sample Continuance Request Form

DISTRICT COURT IN THE COUNTY OF \_\_\_\_\_

\_\_\_\_\_, Motioning Party Phone # \_\_\_\_\_

v.

\_\_\_\_\_, Opposing Party Phone # \_\_\_\_\_

In re: \_\_\_\_\_,  
Child(ren)

Name of any companion case or co-defendant? \_\_\_\_\_

### MOTION FOR CONTINUANCE

Comes now \_\_\_\_\_, and requests that this court grant him/her a continuance in the above referenced matter, which is set for trial on \_\_\_\_\_ at \_\_\_\_\_, and in support of this request represents the following facts: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he/she has mailed, faxed, or hand-delivered a true copy of the foregoing Motion for Continuance on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to the following:

Attorneys \_\_\_\_\_ for \_\_\_\_\_

\_\_\_\_\_ for \_\_\_\_\_

Pro Se Party: \_\_\_\_\_ Pro Se Party: \_\_\_\_\_

\_\_\_\_\_  
Signature

Opposing Counsel or Opposing Party Signatures:

\_\_\_\_\_  Is in Agreement with this request;  Is Opposed to this request

\_\_\_\_\_  Is in Agreement with this request;  Is Opposed to this request

\_\_\_\_\_  Is in Agreement with this request;  Is Opposed to this request

\_\_\_\_\_  Is in Agreement with this request;  Is Opposed to this request

The request for continuance must be made ten (10) days prior to the scheduled court date unless exigent circumstances exist.

### ORDER

It is hereby ordered that the Petitioner's Motion for Continuance is:

- denied and said matter shall be heard on the date set  
 to be scheduled for a motion's hearing regarding the continuance request.  
 granted and the matter shall be rescheduled. **The motioning ATTORNEY is responsible for notifying opposing parties, counsel, and witnesses.** (The Court will notify pro se parties in the event there are no attorneys involved.)

Entered: \_\_\_\_\_

\_\_\_\_\_  
Judge/Clerk

## Bibliography and Additional References

Alaska Court System. *Self-Help: Represent yourself*. <https://courts.alaska.gov/shc/index.htm>

American Bar Association. (2006). *ABA standards for criminal justice, speedy trial and timely resolution of criminal cases* (3rd Edition).  
[https://www.americanbar.org/content/dam/aba/publications/criminal\\_justice\\_standards/speedy\\_trial.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/speedy_trial.authcheckdam.pdf)

American Bar Association. (n.d.). *Dispute resolution overview*. ABA Section of Dispute Resolution. Reprinted by permission of the American Bar Association. All rights reserved.  
[https://www.americanbar.org/groups/dispute\\_resolution/resources/overview/](https://www.americanbar.org/groups/dispute_resolution/resources/overview/)

American University. (2014, March 31). *The Purposes of Courts* [Video]. YouTube,  
<https://www.youtube.com/watch?v=sHb06PNadQ>

Batty, K. (2016). It's time to expand the traditional "Purposes of Courts." *The Court Manager*, 31(4), 6-9. Retrieved on January 20, 2026, from <https://thecourtmanager.org/wp-content/uploads/ncsc-courtmanager-31.4-winter.pdf>

Bureau of Justice Assistance. (1993, February). *Differentiated Case Management*.  
<https://www.ojp.gov/pdffiles/difb.pdf>

Church, T. Jr., Carlson, A., Lee, J. Q., Tan, T., Chantry, Hon. K., & Sipes, L. (1978). Justice delayed – the pace of litigation in urban trial courts. *State Court Journal*, 2(4), 3-8 & 41-47. National Center for State Courts. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/justice-delayed-pace-litigation-urban-trial-courts>

Church, T. W. Jr. (1982). *Examining local legal culture – Practitioner attitudes in four criminal courts*. National Institute of Justice. <https://www.ojp.gov/library/publications/examining-local-legal-culture-practitioner-attitudes-four-criminal-courts>

Coconino County, Arizona, Criminal Justice Coordinating Council, [Criminal Justice Coordinating Council | Coconino](#)

Cornell, J. G. (2021, September - December). Caseflow management practices. *Court Leader*.  
<https://courtleader.net/2021/>

Cornell, J. G. (2012-2013). One court looks at itself in the mirror – the "Bucket List" Project – a low-tech self-review. *The Court Manager*, 27(4). National Association for Court Management.  
<https://courtleader.net/wp-content/uploads/2017/09/article-one-court-looks-at-itself-in-the-mirror-the-bucket-list-project-nacm-court-manager-vol-27-no-4-winter-2012-2013.pdf>

Crooke, B., Diop, B. Z., Fishbane, A., Hayes, J., Ouss, A., & Shah, A. (2018, January). *Using behavioral science to improve criminal justice outcomes. Preventing failures to appear in court*.

Abdul Latif Jameel Poverty Action Lab (J-PAL).

<https://www.povertyactionlab.org/evaluation/text-message-reminders-decreased-failure-appear-court-new-york-city> and <https://www.ideas42.org/wp-content/uploads/2018/03/Using-Behavioral-Science-to-Improve-Criminal-Justice-Outcomes.pdf>

Davis, R., Matelevich-Hoang, B. J., Barton, A., Debus-Sherrill, S., & Niedzwiecki, E. (2015). *Research on videoconferencing at post-arraignment release hearings: Phase I final report*. National Criminal Justice Reference Service.

<https://www.ojp.gov/pdffiles1/nij/grants/248902.pdf>

Delaney, H. & Moore, M. (2023 August). Rising to the challenge: Deploying a multi-agency integrated case management system – the Spokane experience. *The Court Manager*, 37(3).

<https://thecourtmanager.org/articles/rising-to-the-challenge-deploying-a-multi-agency-integrated-case-management-system-the-spokane-experience/>

Fairfax County Virginia. (n.d.). *Continuance policy (Civil)*.

<https://www.fairfaxcounty.gov/generaldistrict/civil/continuances>

*Finance & technology committee meeting*. (2017, January 27).

<https://static.spokanecity.org/documents/bcc/committees/finance-technology-committee/meeting-documents/2017/02/06/fintech-meeting-materials-2017-02-06.pdf>

First Judicial District of Pennsylvania (Philadelphia Courts). (n.d.) <https://www.courts.phila.gov/>

First Judicial District of Pennsylvania. (2023). *Annual report 2023* (p. 62).

<https://www.courts.phila.gov/pdf/report/2023-First-Judicial-District-Annual-Report.pdf>

Flango, V. E. & Clarke, T. M. (2014). *Reimagining courts: A design for the twenty-first century*. Temple University Press

Flango, V. E. (2018). Purposes of courts reformulated. *The Court Manager*, 33(2).

<https://thecourtmanager.org/articles/purposes-of-courts-reformulated-33-2/>

Freeman, K. R. & Monaghan, R. (2023, May). Measuring the impacts of strategies to reduce court caseloads and backlogs. *The Court Manager*, 37(2). National Association for Court Management.

<https://thecourtmanager.org/articles/measuring-the-impacts-of-strategies-to-reduce-court-caseloads-and-backlogs/>

Friesen, E. C., Purposes of Courts, American University, Judicial Programs Office, YouTube Video (2014), [The Purposes of Courts](#)

Hannaford-Agor, P. (2021, November). *Reimagining civil case management*. National Center for State Courts. <https://www.ncsc.org/sites/default/files/media/document/NCSC-Reimagining-Civil-Case-Management.pdf>

Harris County Institute of Forensic Sciences. (n.d.). *eDiscovery*.  
<https://ifs.harriscountytexas.gov/eDiscovery>

Hewitt, W. E., Gallas, G., & Mahoney, B. (1990). *Courts that succeed: Six profiles of successful courts*. National Center for State Courts. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/courts-succeed-six-profiles-successful-courts>

Institute for Court Management. (2021). *Caseflow and workflow management (Virtual course)*.

International Consortium for Court Excellence. (2020, May). *International framework for court excellence* (3rd Edition). <https://www.asean-ifce.com/files/ifce/english-international-framework-3rd-edition.pdf>

Journal Technologies. (2025, April 29). *City of Spokane turns to integrated justice*.  
<https://www.journaltech.com/customer-profiles/city-of-spokane-turns-to-integrated-justice>

Justice Management Institute. <https://jmijustice.org/about-us/>

Mahoney, B., Aikman, A. B., Casey, P., Flango, V. E., Gallas, G., Henderson, T. A., Ito, J. A., Steelman, D. C., & Weller, S. (1988). *Changing times in trial courts*. National Center for State Courts. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/changing-times-trial-courts>

Mahoney, B., Bakke, H. C., Bonacci-Miller, A., Maron, N. C., & Solomon, M. (1994). *How to conduct a caseflow management review: A guide for practitioners*. National Center for State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/5/>

McGlynn, B. Cives to Join NACM 2025 Annual Conference: Empowering courts through innovation and inclusivity, <https://cives.ai/bloginsights/cives-to-join-nacm-2025-annual-conference-empowering-courts-through-innovation-and-inclusivity>

National Association for Court Management. (2023, November 21). *Suburban and rural courts: Their perspective. Do remote hearings pose special challenges?* Court Leader's Advantage Podcast Series. <https://nacmnet.org/portfolio-item/suburban-and-rural-courts-their-perspective-do-remote-hearings-pose-special-challenges/>

National Association for Court Management. (2004). *Core competency curriculum guidelines: What court leaders need to know and be able to do*. National Center for State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/2006>

National Association for Court Management, Plain Language Guide (2019), [Publications & Resources – National Association for Court Management](#)

National Association for Presiding Judges and Court Executive Officers. (n.d.). *Caseflow management plan (Sample)*. NAPCO. <https://napco4courtleaders.org/wp-content/uploads/2018/11/CV-CR-Caseflow-Management-Plan-Sample.pdf>

National Center for State Courts. (2012, July). *Principles for judicial administration*. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1891>

National Center for State Courts. (2017). *CourTools: Trial court measures* (Measure 7: Legal financial obligations). <https://www.ncsc.org/our-centers-projects/courtools>

National Center for State Courts. (2024, November). *Getting started with pretrial reform*. <https://www.ncsc.org/resources-courts/getting-started-pretrial-reform>

National Center for State Courts, Hutton, K., [How one ICM Fellows project transformed a state's caseflow management system & a career | National Center for State Courts](#) (2017), and Ostrom, B. J., Ph.D., Racek, Judge, F. Freeman, K.R., Ph.D., Monaghan, R., Ph.D. "The Fair and Timely Resolution of Criminal Cases, North Dakota's Transformational System of Caseflow Management," National Center for State Courts, [ND-report-2024-FINAL.pdf | Powered by Box](#) , [Enhancing criminal caseflow management in rural communities | National Center for State Courts](#), (2024, September).

National Center for State Courts. (2024, November). *Pandemic rapid response team: Criminal caseload backlog reduction learning collaborative series*. <https://www.ncsc.org/sites/default/files/media/document/RRT-Criminal-Backlog-Reduction-Learning-Collaborative-Resources-Final.pdf>

National Center for State Courts. (2025, July 22). *Trends in state courts 2025*. <https://www.ncsc.org/resources-courts/trends-state-courts>

National Center for State Courts. (n.d.). *Backlog reduction simulator*. Caseflow Management. [Backlog Reduction Simulator](#)

National Center for State Courts. (n.d.). *Caseflow management*. <https://www.ncsc.org/resources-courts/operations-governance/caseflow-management>

National Center for State Courts. (n.d.). *Court statistics project*. <https://www.ncsc.org/our-centers-projects/court-statistics-project>

National Center for State Courts. (n.d.). *CourTools*. <https://www.ncsc.org/our-centers-projects/courtools>

National Center for State Courts, National Open Data Standards, [National Open Court Data Standards: A leadership guide | National Center for State Courts](#)

National Center for State Courts, (2024, November). *Pandemic rapid response team: Criminal caseload backlog reduction learning collaborative series*. <https://www.ncsc.org/sites/default/files/media/document/RRT-Criminal-Backlog-Reduction-Learning-Collaborative-Resources-Final.pdf>

National Center for State Courts. (n.d.). *Performance measurement*.  
<https://www.ncsc.org/performance-measurement>

National Institute of Justice. (2020, January 31). *NIJ's research on videoconferencing pretrial release hearings*. <https://nij.ojp.gov/topics/articles/nij-research-videoconferencing-pretrial-release-hearings>

Ostrom, B. J. & Hanson, R. A. (2010). *High performance court framework: A roadmap for improving court management (Visual summary – Final)*. National Center for State Courts.  
<https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/2040>

Ostrom, B. J., Racek, F., Freeman, K. R., & Monaghan, R. (2024, September). *The fair and timely resolution of criminal cases: North Dakota's transformational system of effective caseflow management*. National Center for State Courts. <https://www.ncsc.org/resources-courts/enhancing-criminal-caseflow-management-rural-communities#:~:text=the%20docket%20management%20systems>

The Pew Charitable Trusts. (2021, December 1). *How courts embraced technology, met the pandemic challenge, and revolutionized their operations*. <https://www.pew.org/en/research-and-analysis/reports/2021/12/how-courts-embraced-technology-met-the-pandemic-challenge-and-revolutionized-their-operations>

Pound, R. "The Causes of Popular Dissatisfaction with the Administration of Justice" American Bar Association Reports 29, (1906).

Raftery, W. (2023). Case processing time standards take hold in state courts. *Judicature*, 106(3). Bolch Judicial Institute at Duke Law, Duke University School of Law.  
<https://judicature.duke.edu/wp-content/uploads/sites/3/2023/02/Raftery-Vol106No3.pdf>

Rau, L. M. (2019, December). *The Philadelphia experiment in civil case management – Journey from disaster to model court* [Masteral thesis, University of Nevada, Reno]. Resonate Mediation & Arbitration. <https://www.resonatemediation.com/the-philadelphia-experiment-in-civil-case-management-journey-from-disaster-to-model-court/>

Robinson, D., Cleary, S., Gibson, S., & Liller, A. L. (2024). Data governance and AI in state courts. *Trends in State Courts 2024*, 8-19. National Center for State Courts.  
<https://cdm16501.contentdm.oclc.org/digital/collection/ctadmin/id/2625>

Solomon, M. & American Bar Association. (1973). *Caseflow management in the trial court [Monograph]*. American Bar Association. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/caseflow-management-trial-court>

Souza, A. & Zarnow, Z. (2024). *Court chatbots: How to build a great chatbot for your court's website*. National Center for State Courts. Williamsburg, VA.  
<https://www.ncsc.org/sites/default/files/media/document/Court-Chatbots.pdf>

State Court Administrative Office, Michigan Supreme Court. (2013, October). *Caseflow Management Guide*.

<https://www.courts.michigan.gov/4acb2e/siteassets/publications/manuals/casefile/cfmq.pdf>

Steelman, D. C., Goerd, J. A., & McMillan, J. E. (2004). *Caseflow management: The heart of court management in the new millennium* (3rd printing with revisions). National Center for State Courts. <https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1498>

Syracuse University. (2025). *Law professor's research uses artificial intelligence to improve fairness of criminal court scheduling*. Syracuse University Today.

<https://news.syr.edu/2024/08/14/law-professors-research-uses-artificial-intelligence-to-improve-fairness-of-criminal-court-scheduling/>

The Pew Charitable Trusts. (2021, December 1). *How courts embraced technology, met the pandemic challenge, and revolutionized their operations*. <https://www.pew.org/en/research-and-analysis/reports/2021/12/how-courts-embraced-technology-met-the-pandemic-challenge-and-revolutionized-their-operations>

The Pew Charitable Trusts. (2023, September 27). *How to standardize court data for greater transparency and ongoing improvement: Steps for making civil courts more open*.

<https://www.pew.org/en/research-and-analysis/fact-sheets/2023/09/how-to-standardize-court-data-for-greater-transparency-and-ongoing-improvement>

Thomson Reuters Institute. (2021, August 24). *The impacts of the COVID-19 pandemic on state & local courts study 2021*. Thomas Reuters. <https://www.thomsonreuters.com/en-us/posts/legal/pandemic-impact-courts-report-2021/>

Thomson Reuters. (2025, June 17). *How courts can use AI to improve and speed access to justice*. <https://legal.thomsonreuters.com/blog/how-courts-can-use-ai-to-improve-and-speed-access-to-justice/>

Utah Online Dispute Resolution Steering Committee. (2017, December). *Utah online dispute resolution pilot project: Final report*. National Center for State Courts.

<https://ncsc.contentdm.oclc.org/digital/collection/adr/id/63/>

Van Duizend, R., Steelman, D.C., & Suskin, L. (2011). *Model time standards for state trial courts*. National Center for State Courts.

<https://ncsc.contentdm.oclc.org/digital/collection/ctadmin/id/1836>

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## Glossary

This glossary includes select terms, concepts, programs, and sources related to caseflow and workflow management. It is not all inclusive but illustrates the related concepts and programs that may support caseflow and workflow practices.

**Active Cases** – the term used to describe cases that are open and pending within a court, not subject to any stay or hold, and are awaiting disposition.

**Adjournment** – concluding, ending, or continuing a court event or hearing. Also known as a continuance or postponement.

**Adjudication** – determining the dispute outcome or issue by formal court order.

**Alternative Dispute Resolution (ADR)** – the process of using a process to assist and support the final case conclusion.

**Backlog** – formally the amount of cases that are in the system longer than the desired timeline or goal standard.

**Cady Family Justice Initiative** – the initiative from the National Center for State Courts, and named after Chief Justice Mark Cady of the Iowa Supreme Court, to evaluate and enhance the ways that courts handle family court cases.

**Case Management Plans/Caseflow Management Plans** – the term used for a formal published plan in which caseflow management or case handling practices and protocols are described and which may include information about time goals, events, documents, and deadlines.

**Case Management System (CMS)** – the term used for the automated or technology systems to record, track, and manage cases filed at the court.

**Caseflow Management** – the formal process for courts to manage and oversee the process to move cases from the initial filing to the final adjudication or conclusion. Caseflow processes may include events during the post adjudication/post decree stage.

**CCJ** – refers to the Conference of Chief Justices, the Chief Justices of each of the states and territories.

**Centralized (Master) Calendar** – refers to a process where cases are assigned to a centralized judge or group of judges, often at the early stages of the life of the cases.

**Civil Justice Initiative** – the initiative from the National Center for State Courts to evaluate and enhance methods for handling of civil cases.

Continuance – the action of moving a court event from one date or instance to another setting. Also known as a postponement or adjournment.

COSCA – refers to the Conference of State Court Administrators, the chief administrative officers for each state and territory.

CourTools – measurement techniques and protocols to capture and produce data on court operational areas, to include caseflow, jury, records management, and public perceptions of the court.

Criminal Justice Coordinating Councils or Commissions (CJCC) – this is one of several terms used to describe a coalition that courts create to provide a forum for input, collaboration or operational practices, and serve as a joint body representing civil, family, juvenile or criminal system needs within the court and justice system.

Differentiated Case Management (DCM) – the term used for practices to create differentiated or customized processes for cases based upon case need and complexity; process differences may include different timing, court events, documents, and targeted time goals.

Disposition – refers to the final action or ruling that concludes a case, regardless of case type.

Effective Criminal Case Management – refers to an initiative at the National Center for State Courts to evaluate practices and suggest methods to enhance efficiency and effectiveness.

High Performance Court Framework – published in 2010 by the National Center for State Courts, this framework provides elements for a court to produce high quality administration of justice; sometimes referred to as the HPCF, these include administrative principles, managerial culture, perspectives of a high performing court, performance measurement and management and a quality cycle/iterative process.

Hybrid Calendar – refers to case assignment using a hybrid or combination of processes taken from either the individual or centralized/master assignment system.

Inactive Cases – the term for cases that have been administratively classified as inactive, due to court rule provisions, holds or stays that remove the case from direct court supervision; examples include bankruptcy stays, holds due to warrants, or status pending the outcome of an evaluation to stand trial.

Individual Calendar – refers to case assignment to an individual judge or docket from the point of filing to final closure.

International Framework for Court Excellence (IFCE) – this refers to a consortium that has created a set of overarching values, concepts, and tools for courts to improve the quality of justice and judicial administration, for courts regardless of country.

Justice Partners – term used by courts to describe those who have an interest in court protocols and practices; partners may include other government agencies or service providers.

Key Performance Measures/Metrics (KPI) – the term used for tools established to monitor and measure success against stated and predefined goals.

Master (Centralized) Calendar – the term used for case assignment to a specific judge, group or team of judges centrally and usually early in the life of a case, with a subsequent reassignment to a trial calendar or judge.

Macro Performance Measures – refers to court measurement of broad system outcomes, for example overall court time to disposition, age of open cases, or numbers of continuance.

Micro Performance Measures – refers to court measurement of individual dockets or case outcomes, for example case timeliness or backlog.

Model Time Standards for State Trial Courts – published in 2011 by the National Center for State Courts, these time standards represent a collaboration between the NCSC, American Bar Association, the CCJ, COSCA, and NACM, to establish expectations for timely justice in trial courts by setting forth time and processing goals for case types found in state courts.

National Center for State Courts – the independent, non-profit organization for the improvement of justice in the United States and internationally. It includes areas for information and research, technology, training and education, and technical assistance for courts.

Online Dispute Resolution (ODR) – refers to processes provided to litigants to use technology programs or platforms to resolve a court case through formal and structured processes overseen by the court.

Post Adjudication – this term refers to the actions that occur after the formal order that concludes a case. It is similar to post-decree, or post disposition.

Post Decree – this term refers to the actions that occur after the formal order that concludes a case, often in a family court of domestic relations case type. It is similar to post-disposition or post adjudication.

Post Disposition – this term refers to a variety of court actions that may occur after a final court order that concludes a case. It is similar to post adjudication or post decree. Post disposition actions may include case monitoring and review, convening a court event, or setting out actions or compliance processes to be completed.

Postponement – one of several terms used to describe a court case that has been moved or set over to another future court date or formally scheduled event; also known as continuance.

Principles for Judicial Administration – published in 2012 by the National Center for State Courts, these are operational principles intended to help chief justices, presiding judges, state and trial court administrators with judicial administration, leadership over budget shortfalls, and operation or restructuring of court services.

Reopen (case reopen) – the term referring to the process of formally reopening a court case that may have been closed by court order or administrative ruling.

Reverse Telescope – the concept portrayed with a visual “telescope” to illustrate that the large number of cases filed at the outset, follows a sequence of processes (court events, court intervention) that lead to case resolution or conclusion with only those cases that do not conclude moving to trial.

Rocket docket – a term used when courts create a specific docket or calendar intended to move or resolve cases quickly using processes and deadlines.

Self-Represented Litigants (SRL) – the term used for court litigants who chose to represent themselves without formal legal representation.

SMART goals – refers to a criteria and process for setting and measuring goals with a framework to include S for specific, M for measurable, A for achievable, R for relevant, and T for timebound.

Stakeholders – a term commonly used to mean all those interested in, who might contribute to or detract from an initiative; may include individuals, agencies, and those internal or external to the court.

Triage – the term used for a court to become familiar with or review the elements of a case that has been filed; triaging a case allows court staff to know case need and complexity, establish priorities and timing for processing, identify the level of intervention needed. Triage may be conducted via case review, case cover or information sheets, or during court events.

Trial Court Performance Standards (TCPS) – these are a set of standards and measures developed for use in trial courts; published in 1990, the TCPS represent the first broad effort for courts to have discreet and comprehensive measurement categories, using 5 primary performance areas (access to justice, expedition and timeliness, equality-fairness-integrity, independence and accountability, and public trust and confidence), 22 measurement standards, and 68 measures.

Workflow Management – refers to the “how” of court operations and the varied activities that support caseflow management; it includes administrative processes, steps, resources, staff/staffing assignments, tasks, and protocols that contribute and comprise caseflow management.