

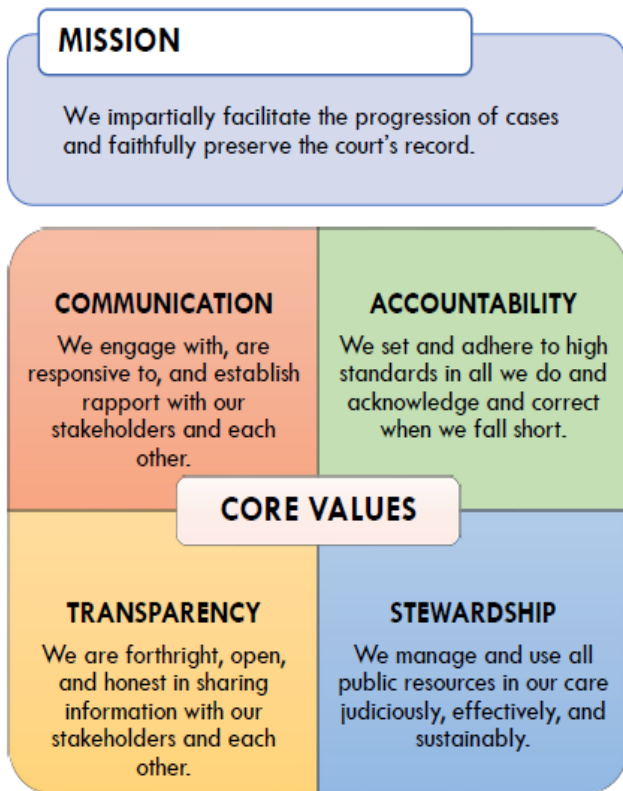


Training the Next Generation of Case Managers

U.S. Court of Appeals for the Federal Circuit, Clerk's Office

1. Introduction

The Clerk’s Office of the U.S. Court of Appeals for the Federal Circuit provides operational and administrative support to the 18 judges of the court in adjudicating cases of significant consequence to the nation’s economy and administration of government. The mission of the Clerk’s Office is to impartially facilitate the progression of cases through the adjudicatory process and to faithfully preserve the court’s record.



The staff of the Clerk’s Office is the primary contact for the court’s litigants and is responsible for managing cases until they are ready for a panel of judges to decide. In practice this means that new cases start and thereafter spend most of their time pending with the court in the care of the Clerk’s Office. To that end, it is imperative that we keep the cases moving quickly and accurately so they reach the judges for a timely resolution and decision in each case.

In fulfilling our mission, the Clerk’s Office seeks to leverage technological enhancements, implement data-driven solutions, and promote an innovative work culture focused on enhancing services for our stakeholders, our judges, members of the bar, unrepresented litigants, and the general public. As an office, we have shown our dedication to our mission by focusing on (1) our core values of communication, accountability, transparency, and stewardship, and (2) our continuing efforts to improve the satisfaction and engagement of our own employees, as well as the quality of service and support that the Clerk’s Office provides the public, our litigants, and the judges of the Federal Circuit.

2. Challenges

Following the results of an internal management assessment of the Clerk’s Office, our court senior leadership challenged the Clerk’s Office to transform itself into a high-functioning organization capable of delivering exceptional public service.

In order to do so, the Clerk’s Office would need to overcome three initial obstacles: (1) lack of institutional knowledge, (2) inexperienced staff, and (3) stakeholder service and work quality concerns.

During our development phase in 2017, we assessed the state of the office and identified the following areas in need of improvement:

- work was unevenly distributed, with a small minority of staff responsible for managing over 60% of our cases while other staff were underutilized;

- case managers who received “on-the-job” training took 12 to 16 months to be able to carry a full-time workload, while other case managers were stuck in “endless training” with no standards or performance measurements to assess the adequacy or completeness of training;
- data in our case management system contained an unacceptable frequency of errors;
- case documents were not processed consistently or within clear processing standard requirements; and
- standardized office procedures were either non-existent or out of date.

3. Solutions

The Clerk’s Office decided to develop an innovative and comprehensive training program for new and existing staff to achieve appropriate performance levels and to provide safeguards to ensure long-term quality work and service.

To support this effort, we created a new Data Quality and Program Management Team (DQPM) charged with identifying and recommending changes to management based on accepted court practices. The team’s approach to improving our case management system is based on a three-phase workflow cycle (Figure 1), which is a variation on the Plan-Do-Check-Act or Deming cycle.

In the Data Quality Phase, we create processes to ensure our data is accurate. In the Strategic Decisions Phase, we review the results of our data quality efforts and identify any necessary changes or areas in need of attention.

Finally, in the Program Management Phase, we develop new programs and initiatives based on the data analysis. Through our built-in feedback loop, we return to the previous phases to measure the success of the new program and to identify opportunities to pivot strategies, if necessary. The positive results provided by DQPM made us confident in our decision to implement a new training program for our office.

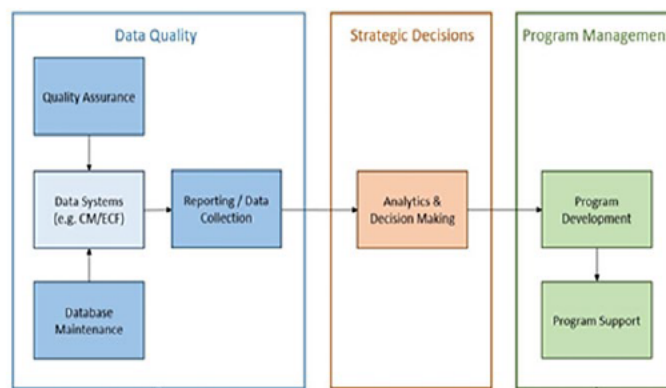


Figure 1: DQPM Data Decision-Making Loop

New Training Design

Our previous approach to training was to provide “on-the-job” shadowing as new, different, or routine cases were filed with the court and as experienced case managers had time to teach their new peers. In other words, the case managers were taught on an ad hoc basis, and there was little standardization in instruction among their trainers.

Our new training program uses a gradual cumulative training model that starts with “big picture” concepts and explains “why” our processes exist and ends with evaluation of work performed in actual cases (Figure 2).

Throughout the training we provide clear standards and make clear the performance criteria that will be evaluated to determine mastery of each stage of training.

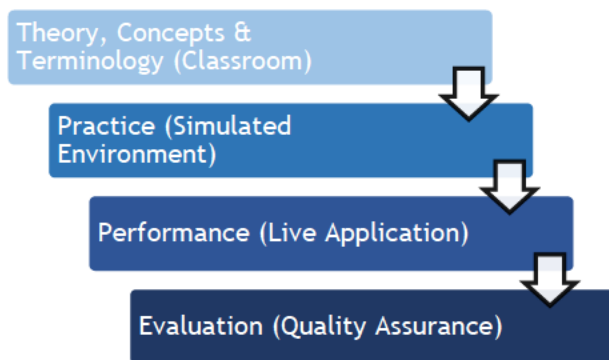


Figure 3: Four-Stages of Training Model

Using a modular-based system (Figure 3), modules with the highest case-type volume are taught first in smaller bites, and the more complex modules with the lowest volume are taught later in the case manager’s tenure. This approach allows us to focus our training on the types of cases that will allow new case managers to most quickly be able to independently process a 100% caseload.

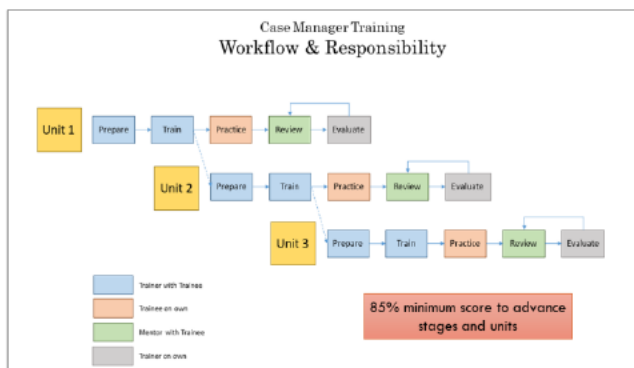


Figure 2: Case Manager Training Module

Orientation Program

In designing our training program, we focused on training specific functions for each position. At the same time, we wanted to connect position-specific training with a generalized orientation program that all new staff members would complete. This two-week, highly structured “court culture” orientation program was designed to introduce new staff to the federal judiciary, the Federal Circuit, and the various functions performed in the Clerk’s Office. The intent of the program is to provide

immediate, “big picture” context to new employees before they begin learning the specifics of their new positions.

The program is divided into nine different units (Figure 4), with a training coordinator assigned to monitor progress, to conduct after-orientation review and establish a feedback loop, and to help new employees quickly integrate into the office.

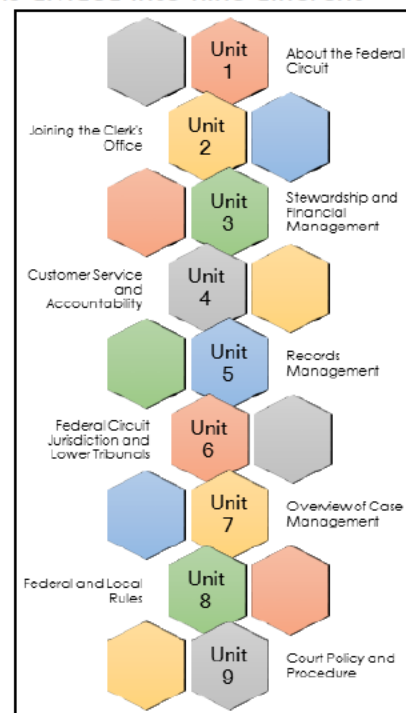


Figure 4: Orientation Units

Documentation and Training Resources

The absence and/or non-standardization of basic instructions for functions performed in the Clerk’s Office presented an obstacle to training new staff and continuing or supplementing existing staff training. In anticipation of the federal judiciary’s transition to Office 365, the Clerk’s Office identified SharePoint as a solution to consolidate these instructional materials in an intuitive application that imposed no additional costs on the court.

Work on this project, called the Minute Book, began in May 2017 with a project deadline of December 2017. To meet such an ambitious deadline, the entire office was divided into topic-based teams, and everyone participated in drafting content.

The site soft-launched in September 2017 and hard-launched in November 2017, six weeks earlier than scheduled. Even more impressive than the deliverable was how staff banded together to ensure procedures were purposefully written, fully vetted, and helpful for all employees regardless of years of experience at the court.

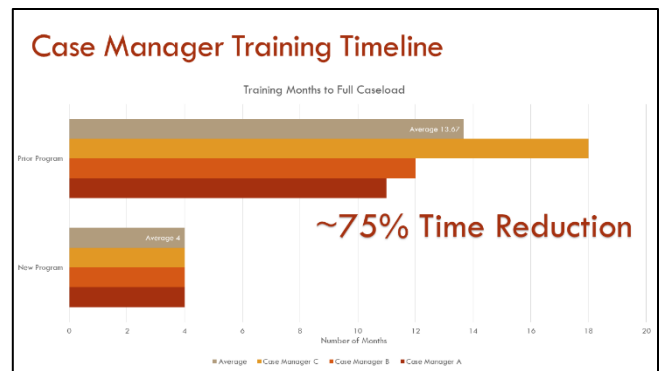
4. Evaluation

In the two years since we deployed the new training program, we have seen significant improvements to our daily operations and our operational readiness, particularly our ability to fulfill our mission during challenging events. For example, in July 2018, our office experienced unexpected staffing changes with 60% turnover in our case managers and the transfer of additional functions and positions to our office, reflecting a 30% staffing change in our office. By October 2018, we had filled all vacant positions, but none of our new hires had any prior experience working in the judiciary. While this was a challenging period of transition for the office, it also presented us with an excellent opportunity not only to train new staff using our new program, but to test and fine tune the program’s effectiveness.

Shortened Training Times

The decreased training time represents a time and labor expense reduction of up to 75% from our prior training method that took anywhere from 12 to 16 months.

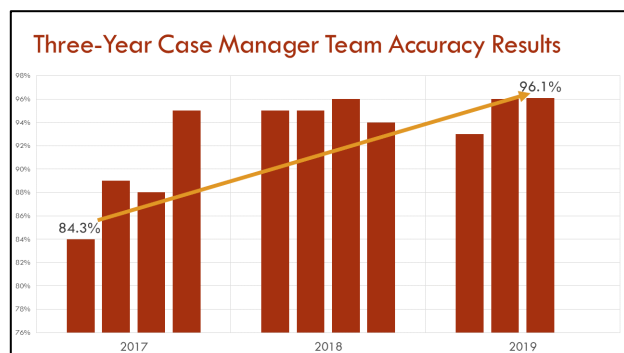
This shortened training period has had a profound impact on the service we provide to our stakeholders. For instance, staff that would have been participating in training for 12–16 months can instead be reassigned to functions that focus directly on ensuring the quality of materials provided to the judges.



Additionally, our case managers are now given more robust knowledge of the court and are better equipped to answer inquiries from attorneys, unrepresented filers, and the public. To that end, we have received positive feedback from our attorney practitioners and our judges on the increased quality of service they have been receiving since we implemented these changes.

Validated Data Accuracy

Before implementation of our quality assurance program as part of our training initiative, overall case manager accuracy was 84%. Overall case manager accuracy has since increased to an office-record-breaking 96.1%, a 14.4% improvement since we began this program.



This improvement in case manager accuracy is critical to our ability to effectively fulfill our mission. If mistakes are found by litigants instead of our staff, litigants are then forced to stop what they are working on and contact the Clerk’s Office to address the issue. Similarly, if a

case manager sets an incorrect deadline—a previously common error among case managers—the Clerk’s Office can extend the life of a case, leading to a delay in the case getting to the judges for a decision. Our now-improved accuracy significantly reduces the risk of making these types of mistakes.

Increased Employee Satisfaction

Although no performance standards existed for federal appellate courts, the Clerk’s Office adapted to our local needs a court industry-standard metrics tool developed by the National Center for State Courts.

In anticipation of the staff transition in the fall of 2018, we conducted the first survey in August 2018 to capture where we were before new staff joined the office. We repeated the survey in April 2019 after all new staff had completed their training and were fully performing their positions.

With 93% of Clerk’s Office employees participating, the Clerk’s Office met or exceeded the metric tool’s 80% performance goal in all 20 categories. The overall score for the office was 88.8%, or a 2% overall increase from August 2018. In addition to reaching or exceeding the 80% goal in all areas, the Clerk’s Office saw a 12% improvement in responses to the survey question: “I get the training I need to do my job well” in just six months. This score was particularly noteworthy given the 30% turnover in staff since the last survey and the office’s continued focus on training staff on new or modified functions.

5. Conclusion

Although most of our staff members were new to the Federal Circuit at the start of this initiative, many members of our team had prior experience in various positions at other federal courts. In designing our training program, we combined our collective experience from other courts to create something new to the federal judiciary. Our program has the added benefits of (1) flexibility to accommodate different learning speeds through a modular-based system and (2) accessibility for all for learning styles—visual, auditory, reading, and kinesthetic—by combining elements of self-study, hands-on and experiential learning, and classroom-style instruction.

Because our training program is based on general concepts and standardized methods, this program can be scaled up or down to our sister courts at the district and appellate level and offers a way to transform how the federal judiciary handles training. More significantly, our program has the benefit of increasing the accuracy of our docket sheets, improving the performance capability of our judiciary workforce, and serving our judges and our litigants by more quickly and accurately facilitating the progression of cases through the court system and faithfully preserving the court’s record.

Following the development of this program, the Clerk’s Office received the Graduate School USA’s government-wide 2019 W. Edwards Deming Outstanding Training Award (Human Capital Management) for this innovative training initiative.

Cover Photo: Clerk’s Office Staff, W. Edwards Deming Outstanding Training Award Ceremony, Washington, D.C., October 2019

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