

Modern Methods of Assessing the Effectiveness of the Court

Wednesday, April 2, 2025 – Speakers

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Modern Methods of Assessing the Effectiveness of the Court

Wednesday, April 2, 2025 – Agenda

- 1 – **Best Practices for Optimizing Case Processing**
- 2 – Measuring the speed and quality of case handling (clearance rate)
- 3 – Data-driven insights and analysis for improving case management
- 4 – Role of digital tools and software in case management



1 – Best Practices for Optimizing Case Processing

- ❖ What is effective case processing?
- ❖ Leadership and teamwork
- ❖ Standards and performance measures
- ❖ Data and information



Case processing is the court supervision of the progress of all cases filed in that court.

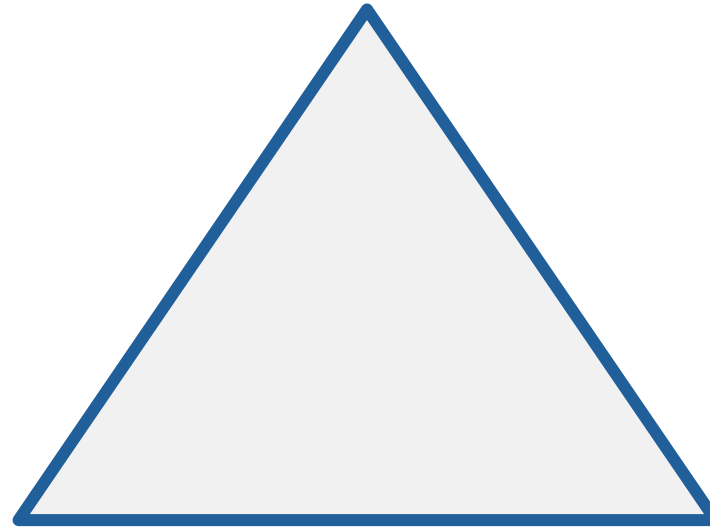


Systems Approach – Goals

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

Three Pillars of Case Processing

Leadership



**Standards and
Performance
Measures**

**Information
and Data**

Leadership

Chief Judge – the Bench – Judicial Administration



Leadership

Executive Teams: Chief Judge – Administrator – Clerk/Registrar

- Set the tone
- Are committed and show commitment
- Involve other judges, other agencies, staff and court administrators
- Establish court-wide policy
- Establish partnerships with other justice system stakeholders



Leadership

Judge – Docket Assignments and Individual Cases

Why Courts Have Leadership Failures

- Lack of leadership skills
- Lack of willingness to lead
- Frequent changes of leadership
- Resistance by judges on the bench

Leadership

Judge – Docket Assignments and Individual Cases



Leadership

Judge – Docket Assignments and Individual Cases

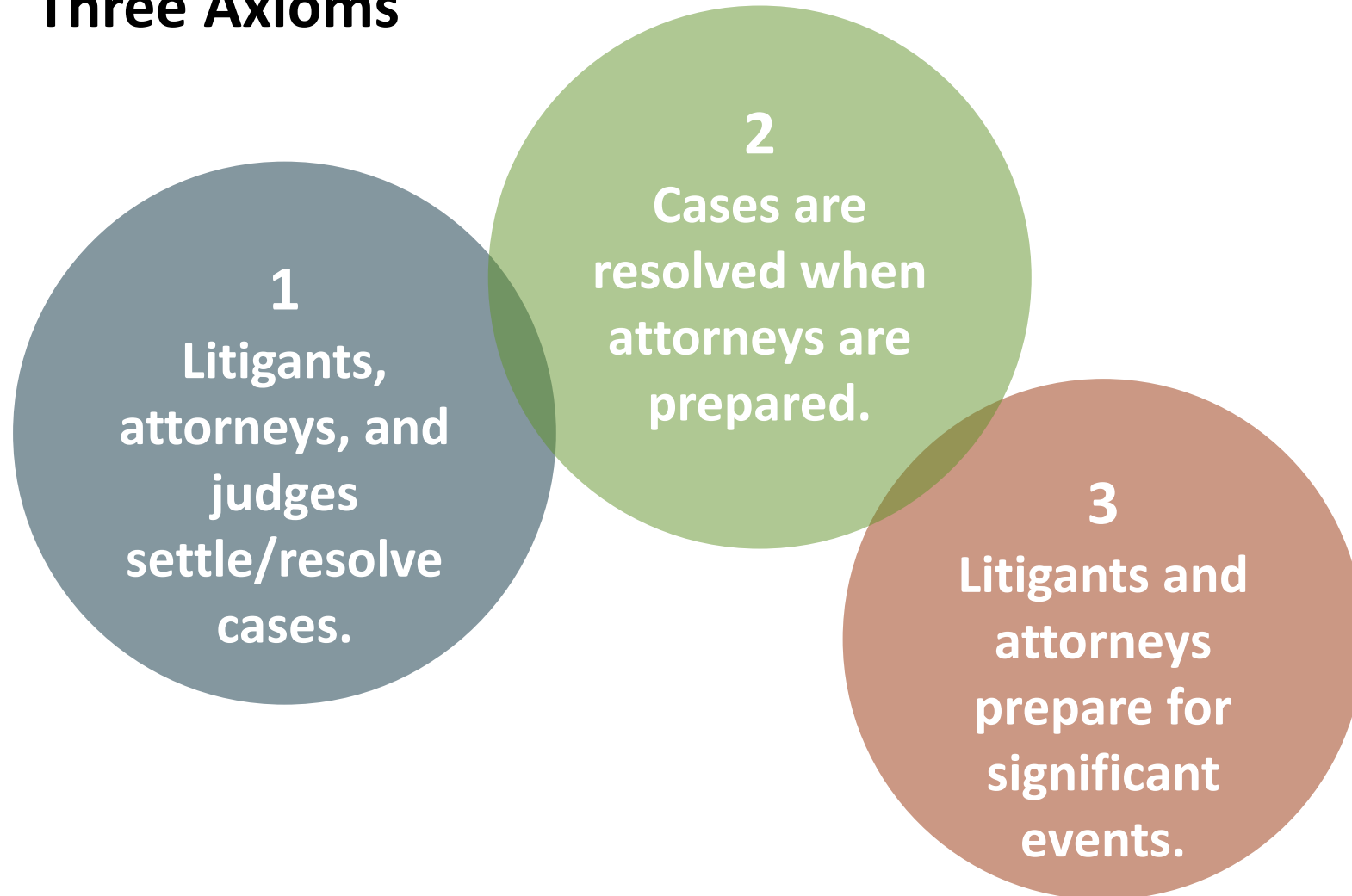
Five Principles

1. Early control
2. Continuous control
3. On a short schedule
4. Be reasonably arbitrary
5. Create the expectation and reality that events happen when scheduled

Leadership

Judge – Docket Assignments and Individual Cases

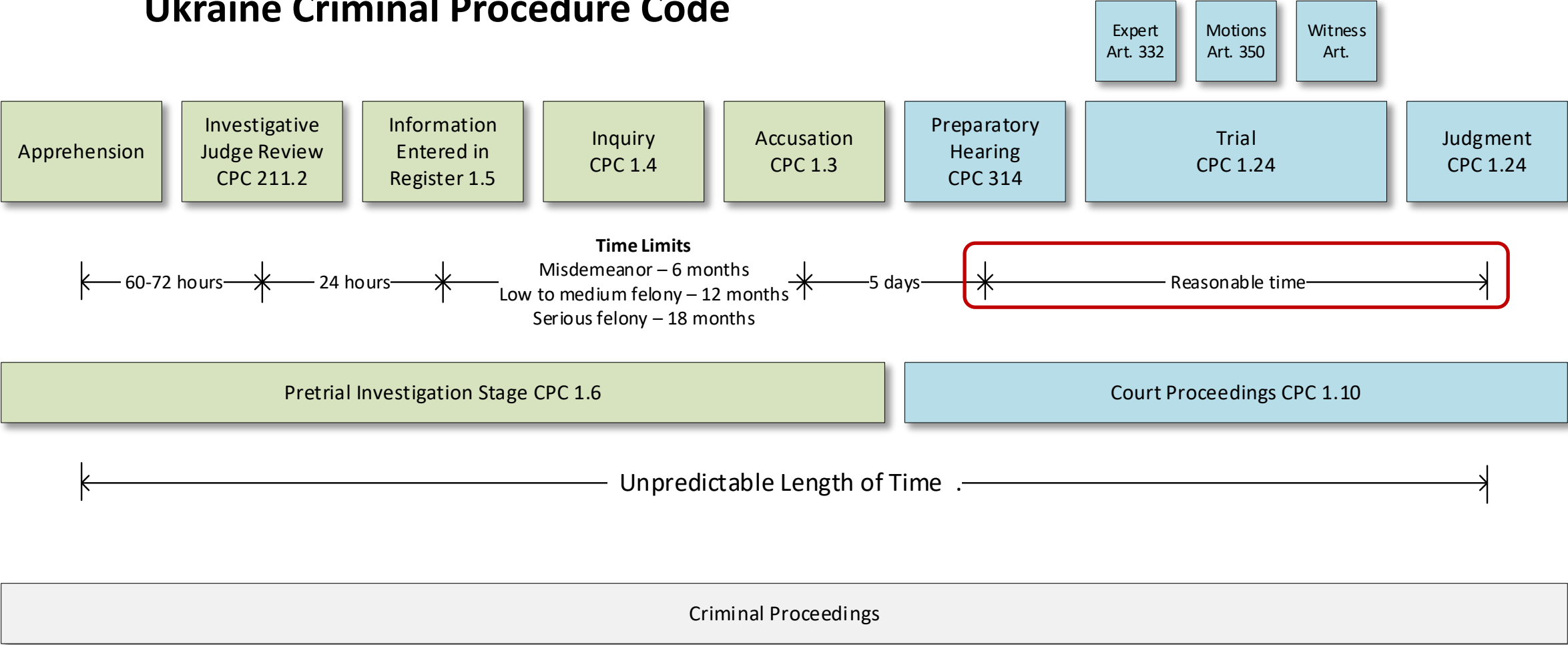
Three Axioms



Standards and Performance Measures

Statutes and Rules of Procedure

Ukraine Criminal Procedure Code

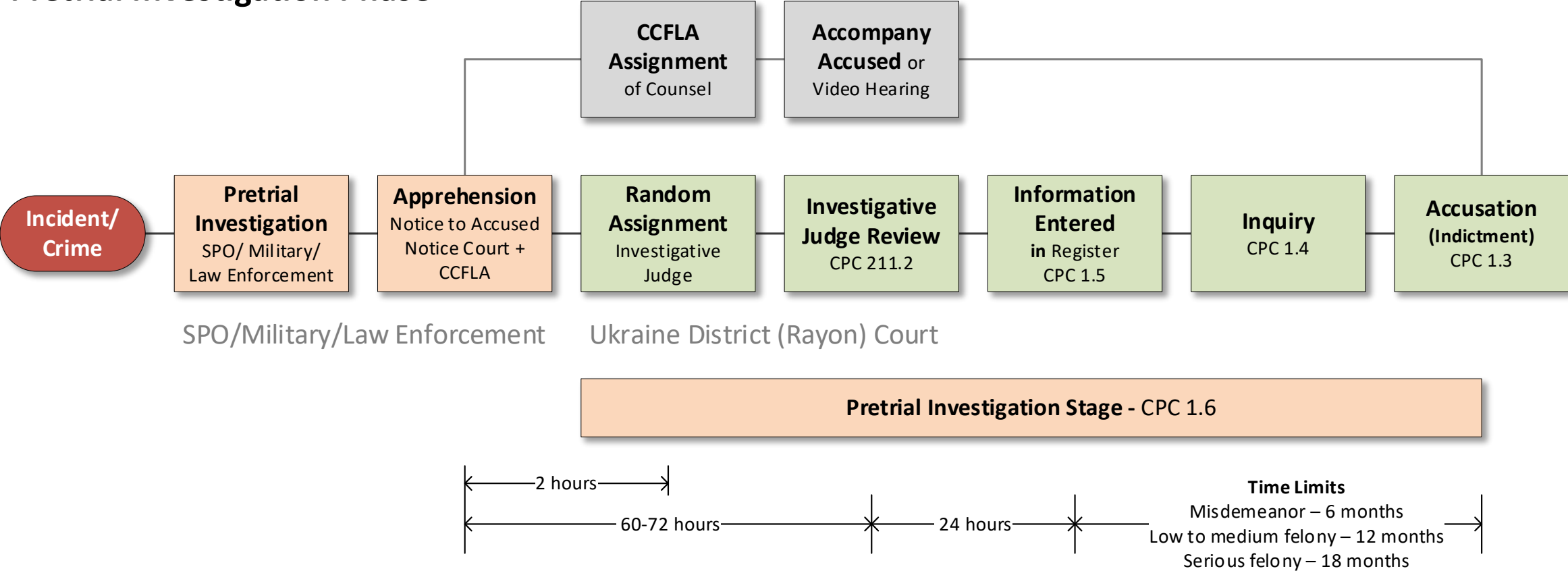


Standards and Performance Measures

Statutes and Rules of Procedure

Ukraine Criminal Case Assignment Pretrial Investigation Phase

Ukraine Coordination Center for Free Legal Aid



Standards and Performance Measures

Regularity and Predictability

- Early intervention by the court;
- Establish meaningful events (milestones) and trial preparation;
- Establish reasonable timeframes for events;
- Establish reasonable timeframes for disposition (time standards);
- Creating a judicial system that is predictable to all users of that system

Performance measures are never used to question a judge's decision-making or rulings.

Standards and Performance Measures

Court User Satisfaction

- **Respect and dignity:** Equal treatment of all litigants by the court.
- **Trustworthy:** Timely disposition consistent with the circumstances of individual cases.
- **Voice:** Enhancement of the quality of litigation.
- **Neutrality:** Public confidence in the court as an institution.

Tom Tyler



Standards and Performance Measures

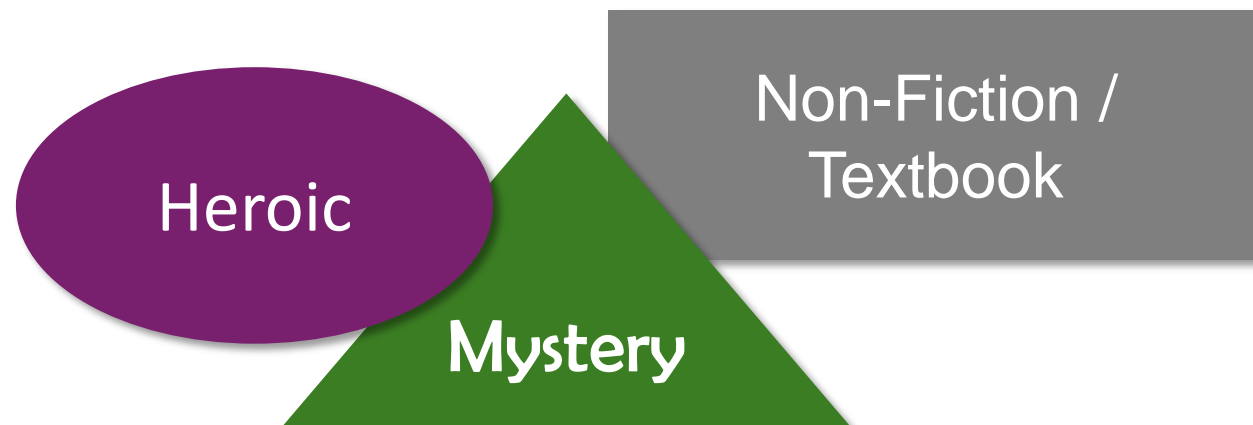
Examples of Performance Measures

1	Clearance Rate	CourTools, IFCE, CEPEJ
2	Time Standards	Model Time Standards (NCSC)
3	Time to Disposition/Efficiency	CourTools, IFCE / CEPEJ
4	Duration of Pretrial Custody	IFCE
5	Case Backlog	IFCE
6	Trial Date Certainty	CourTools, IFCE
7	Cost Per Case	CourTools, IFCE
8	Court User Satisfaction (Survey)	CourTools, IFCE

Information and Data

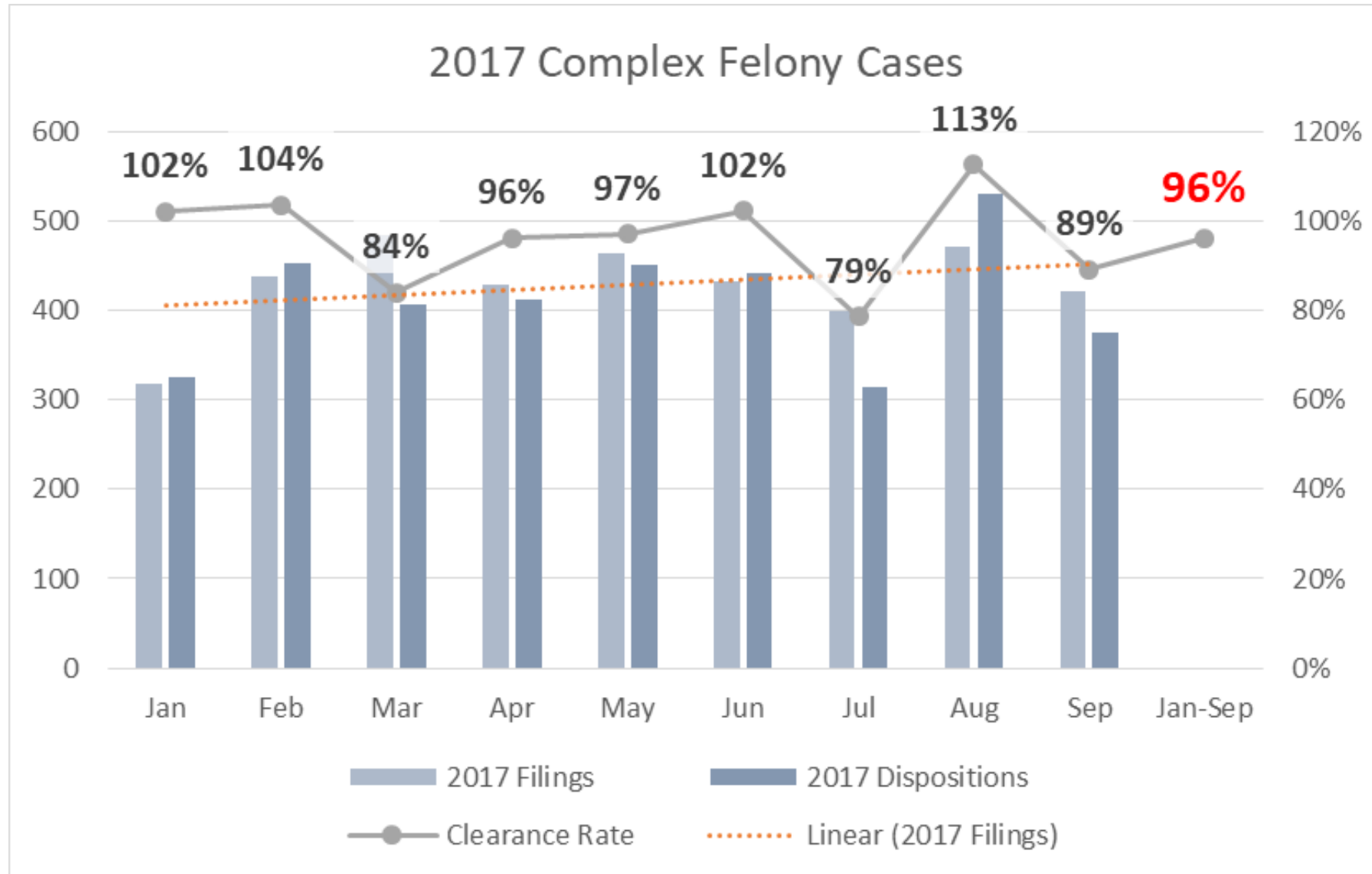
Information and data tell a story

- What is the story and its purpose?
- Who is the audience? What do they want to know?
- Understanding the beginning, middle, and end.
- What is the sequel – the next part of the series?



Information and Data

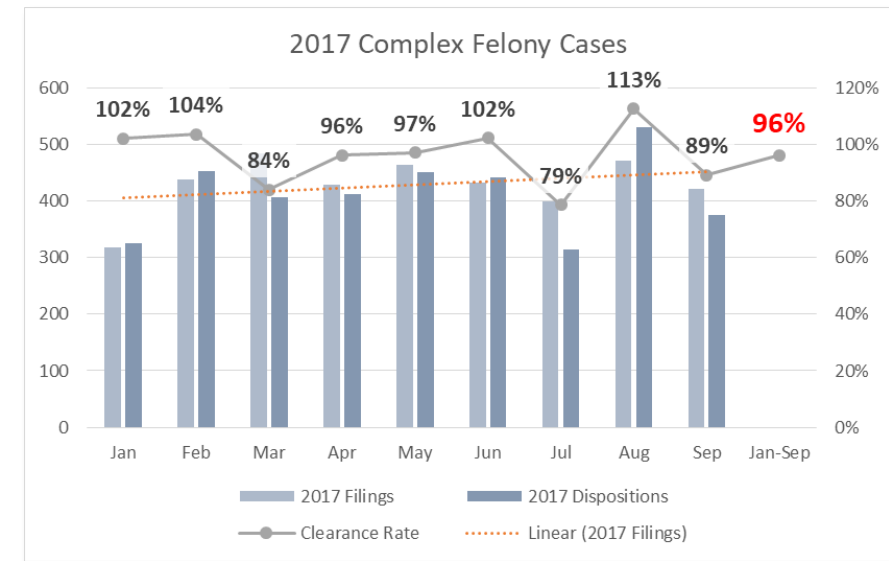
Information and data tell a story



Information and Data

Case Processing Story

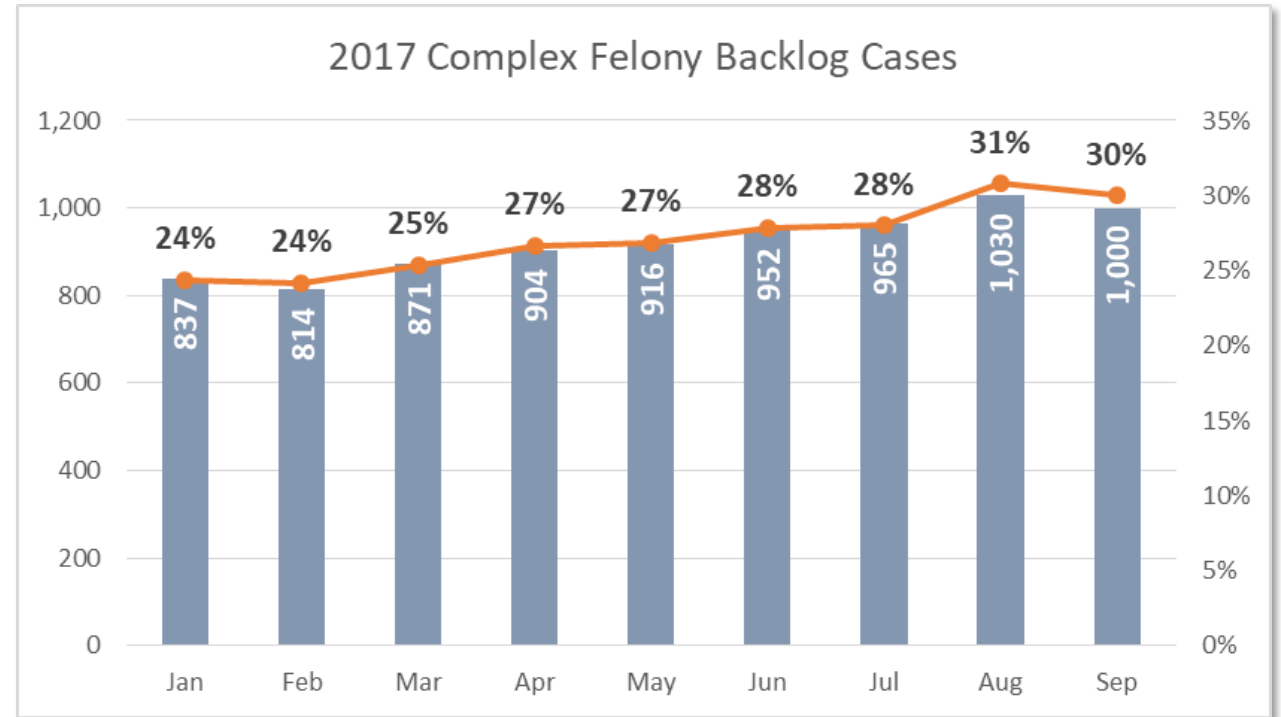
- **Beginning.** The short term trend – new filings are increasing slightly (see red line), although January filings were significantly lower.
- **Middle.** The bench, as a whole, is keeping up with a small increase (143 cases – 3%) from Jan to Sep in pending caseloads.
- **Plot twist.** The bench as a whole and Judge Adams' individually had the most number of new cases assigned in May and August.
- **Interlude.** Many judges took vacations in July. This is expected.



Information and Data

Case Processing Story – Sequel and Outcomes

- **Outcome.** Not keeping up (96% clearance rate) will increase time to disposition.
- **Intrigue.** More cases on the docket – more hearings to schedule, increased workload.



Information and Data

Trial Date Certainty

Meaningful Events

- Attorneys are prepared.
- Witnesses appear.
- Parties have exchanged evidence.
- Parties and lawyers have discussed or negotiated the case.

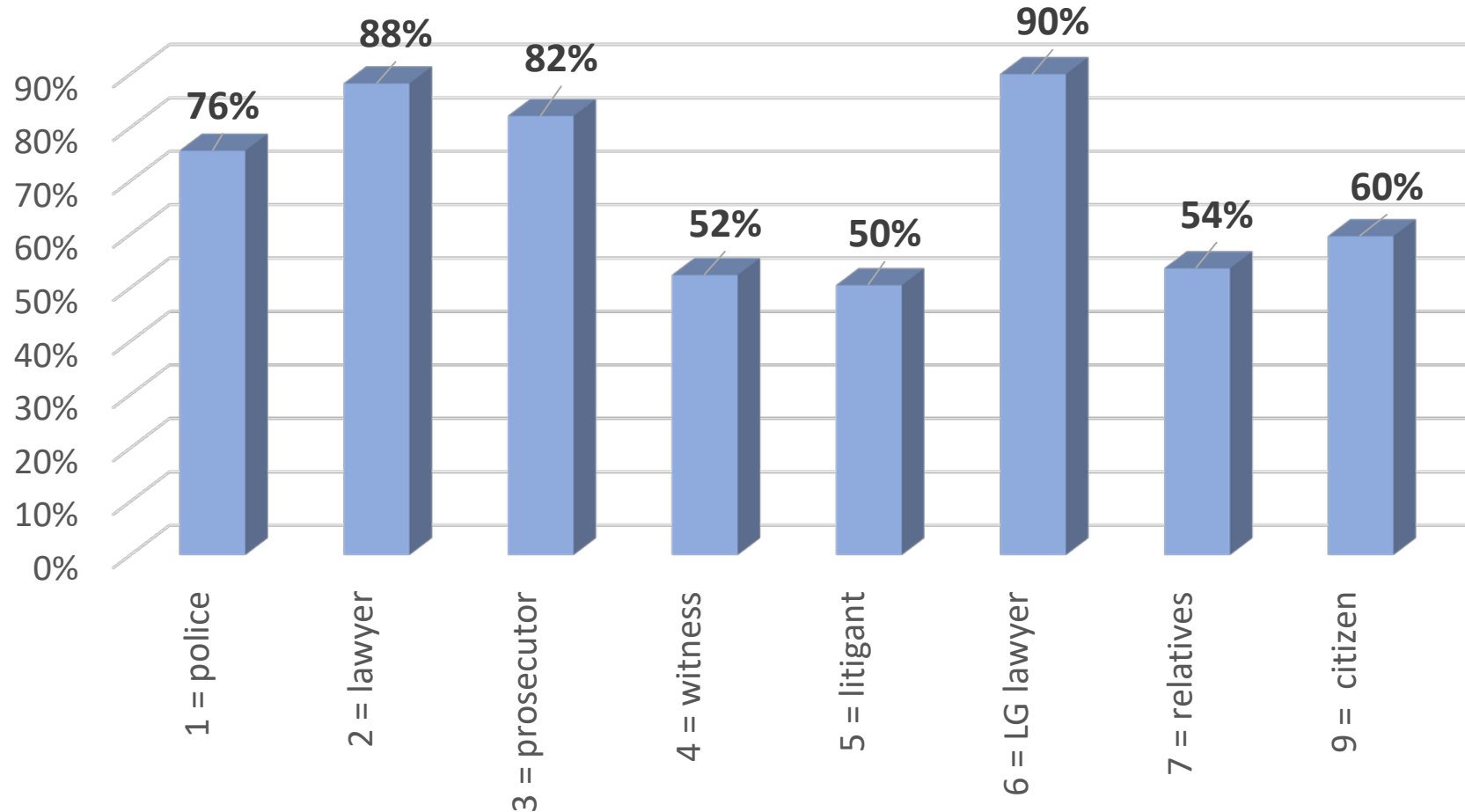


Trial Date Certainty – the ratio of events (trials) that happen when scheduled.

Information and Data

Public Trust and Confidence

Q7. understand the instructions of the court



Court User Surveys – Questionnaire for court users (Myanmar courts pre-coup)

Modern Methods of Assessing the Effectiveness of the Judicial Body

1 – Best Practices for Optimizing Case Processing

Now we go into the details...