

# Modern Methods of Assessing the Effectiveness of the Court

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Wednesday, April 2, 2025

- 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



## **3 – Data Driven Insights and Analysis**

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- ❖ Statistical information and balanced workload
- ❖ Performance measures – for a court
- ❖ Performance measures – for each case

# Statistical Information

## Data Definitions

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### Principle

*The court system and each judge and clerk/registrar must agree on what is being counted.*

- Standards
- Fairness
- Balanced workload
- Accountability



# Statistical Information

## Data Definitions

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### **Criminal Case**

A criminal case is generally initiated by a complaint, an information, or indictment. Count the defendant and all charges involved in a single incident as a single case. If the charging document contains multiple defendants involved in a single incident, count each defendant as a single case.

### **Civil and Family Cases**

A petition or civil complaint begins a civil or family case in most trial courts. A civil case with multiple parties or multiple causes of action are counted as one case. A family case involves actions (disputes) between family members.

[National Open Court Data Standards](#), National Center for State Courts, U.S.

# Statistical Information

## Data Definitions

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### **New filings – Start of a case**

- Criminal case filing – Complaint, information, or indictment
- Civil and family case filing – Petition or civil complaint

### **New terminations – End of a case**

- Criminal case terminations – Withdrawal, dismissal, settlement, judgment or ruling
- Civil and family case terminations – Withdrawal, dismissal, settlement, judgment or decree

### **Reopened cases – Counted separately**

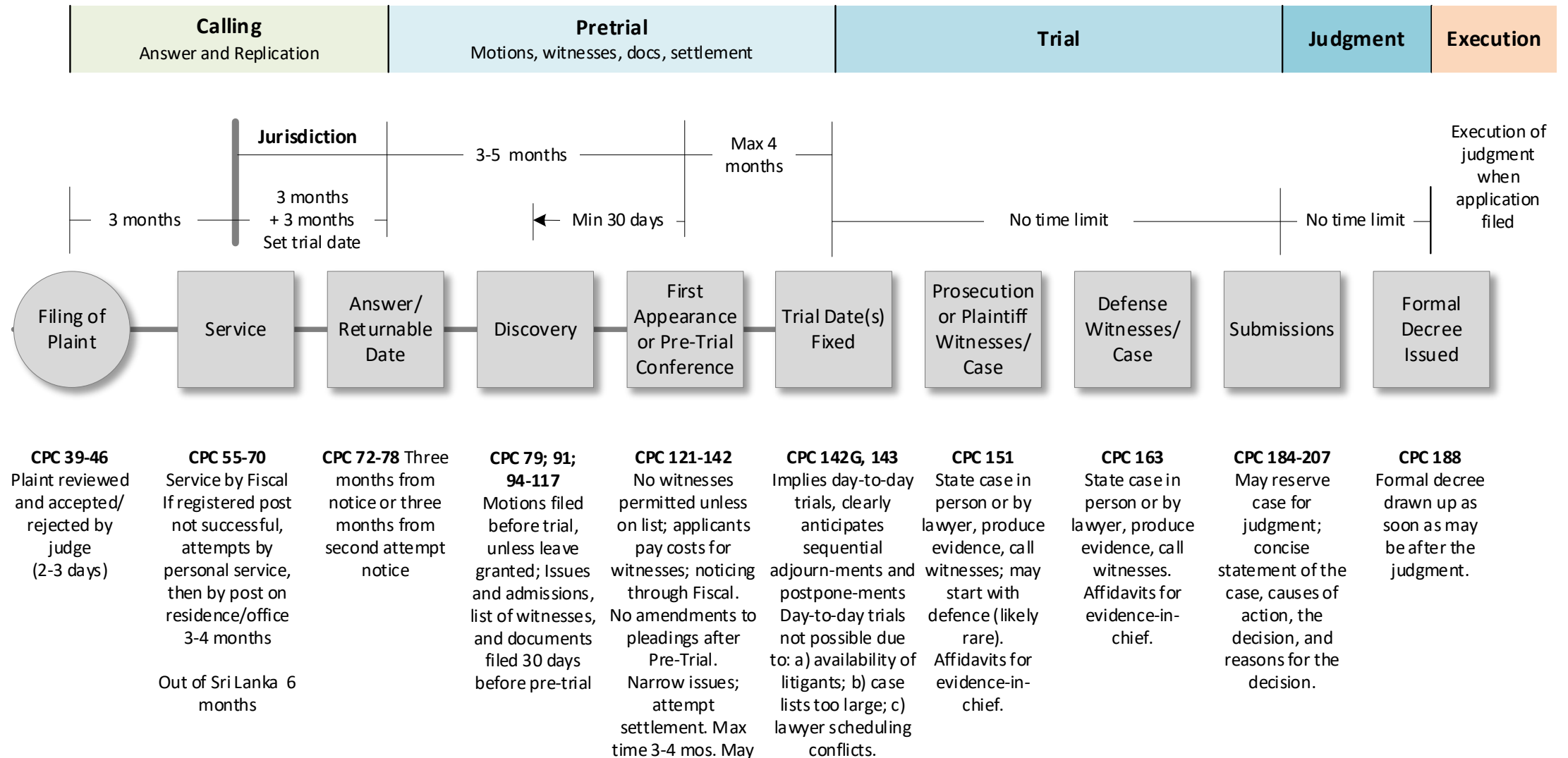
- Enforcement actions (violations of probation, sanctions, garnishments, fines)
- Modifications of judgment (modifications, corrections)
- Appeal remands (appeals of final orders only)

[National Open Court Data Standards](#), National Center for State Courts, U.S.

# Statistical Information

## Data Definitions

### Sri Lanka District Court Civil Case Processing



# Statistical Information

## Balanced Workload

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### Judge (and Lawyer) Workloads

- A count of the number of cases filed and dispositions at a court
- A count of the number of cases assigned to each judge
- A count of the number of dispositions by judge
- By case type (categorized by complexity and time needed)
- By year or other time period

# Statistical Information

## Balanced Workload

### Maryland Judiciary, U.S. – 8 Circuits / 24 Circuit Courts

Fiscal Year 2023	Total Filings	Total Terminations
Total Civil General	43,670	40,317
Total Civil Family	73,968	73,747
Total Juvenile	8,009	7,139
Total Criminal	43,813	44,403
<b>Total</b>	<b>169,460</b>	<b>165,606</b>

Clearance rate =  $165,606/169,460 = \underline{97.7\%}$



# Statistical Information

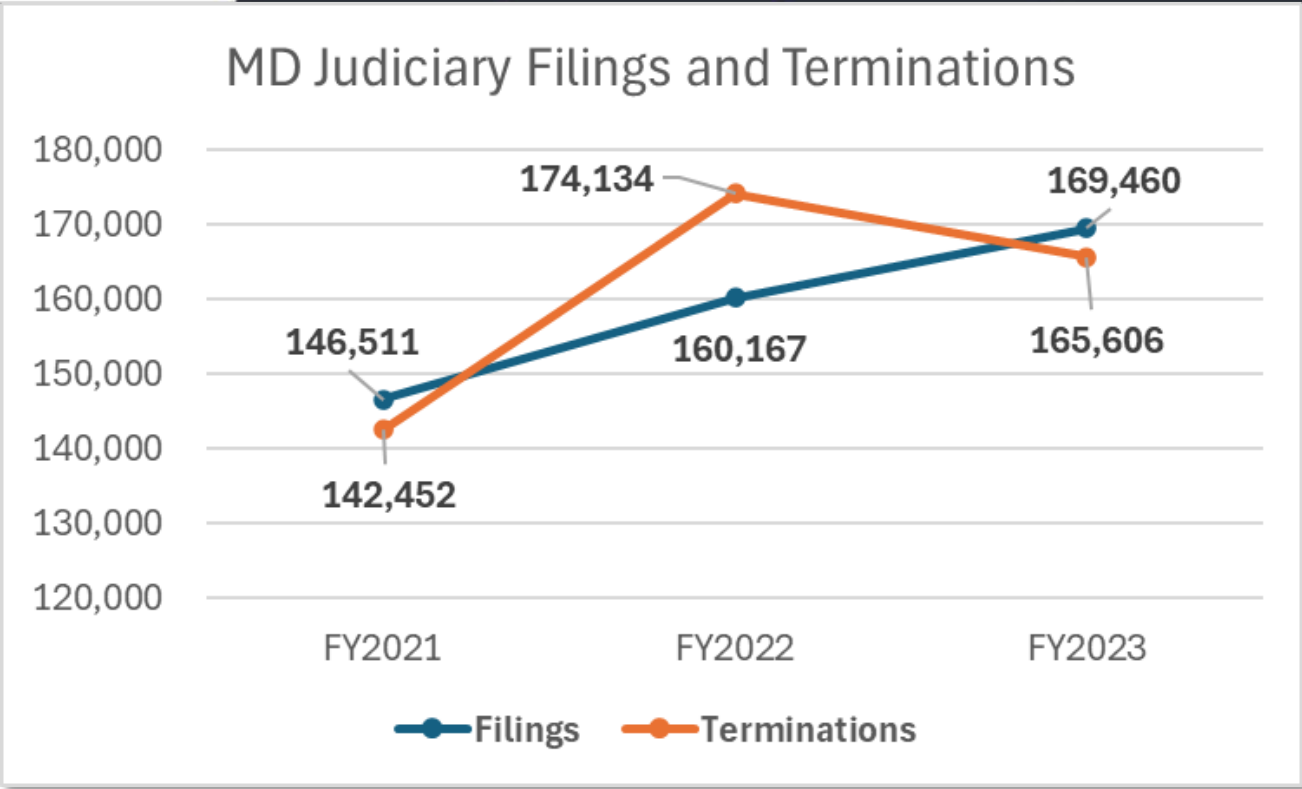
## Balanced Workload

### Maryland Judiciary, U.S. – 8 Circuits / 24 Circuit Courts

FY 2021	FY 2022	FY 2023
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Statew

Filings	Terminations
169,460	165,606



**Case Filings**  
16% increase in 3 years

# Statistical Information

## Balanced Workload

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### Judge (and Lawyer) Workloads

Case types weighted by complexity and time

- Small Claims Civil = 1.0
- Contested Divorce = 4.0 weighted
- Simple Infraction = 1.0
- Serious Criminal = 4.0 weighted

**Judge A** assignments / year = 200 small claims + 100 divorce = 600 points

**Judge B** assignments / year = 400 infractions + 50 serious criminal = 600 points

# Statistical Information

## Balanced Workload

Division/ Docket	Track 1 Payable Traffic		Tracks 2 & 3 Traffic Arrests & Misdemeanors		Track 4 DUI	
Sens - Division A	11%	11%	19%	13%	11%	11%
Jones - Division B	14%	14%	16%	17%	15%	14%
Shea - Division D	14%	14%	16%	17%	15%	14%
Early - Division E	11%	11%	13%	13%	11%	11%
Landry - Division F	11%	11%	19%	13%	11%	11%
Jupiter - Division G	11%	11%	13%	13%	11%	11%
Cade - Division H	27%	27%	4%	7%	26%	27%
<b>Subtotal Judges</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

# Performance Measures

## Assessing the Effectiveness of the Court

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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

# Performance Measures

## Time Standards

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### **Time Standards – U.S. Trial Courts**

*The percentage of cases disposed or otherwise resolved within established time frames.*

CourTools, NCSC

### **Median Case Time – CEPEJ**

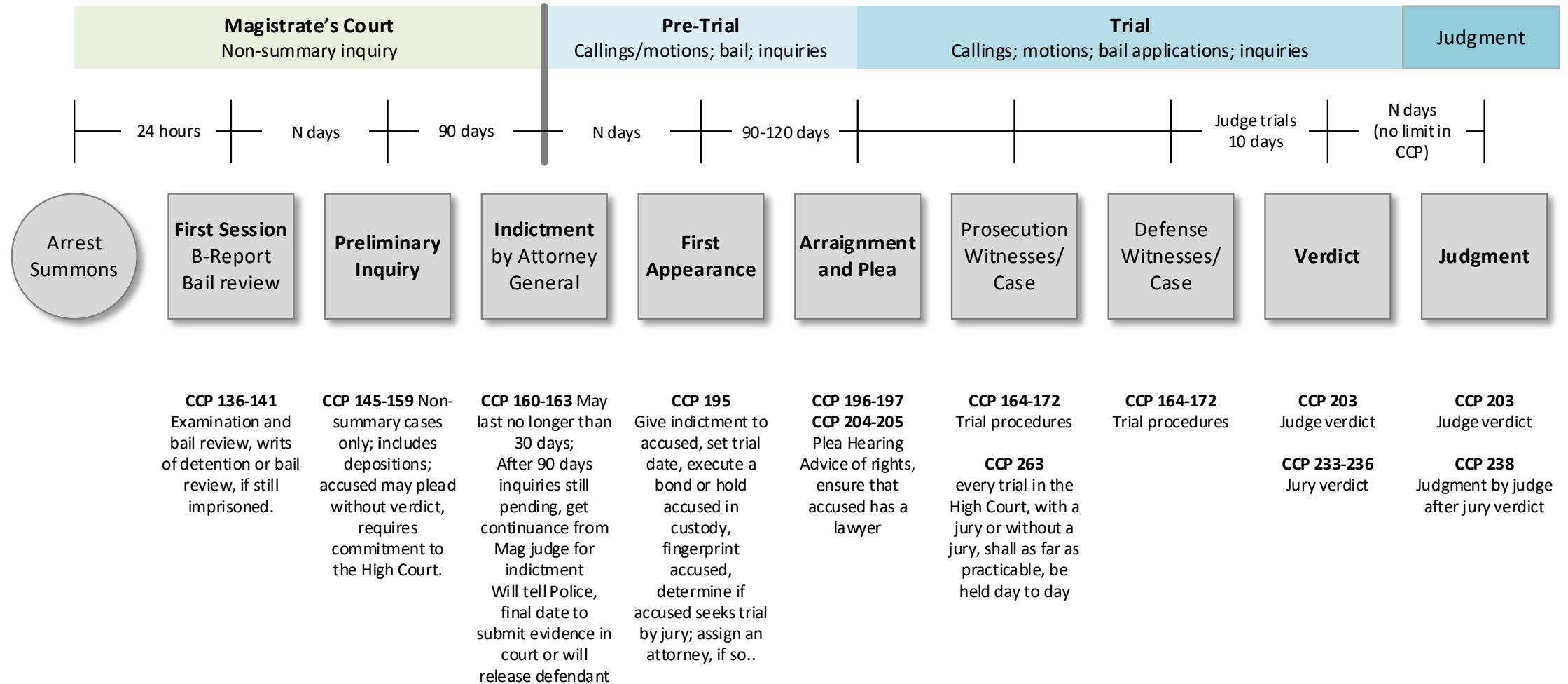
*The comparison of median time to disposition with a European standard average.*

European Commission for the Efficiency of Justice

# Performance Measures

## Time Standards

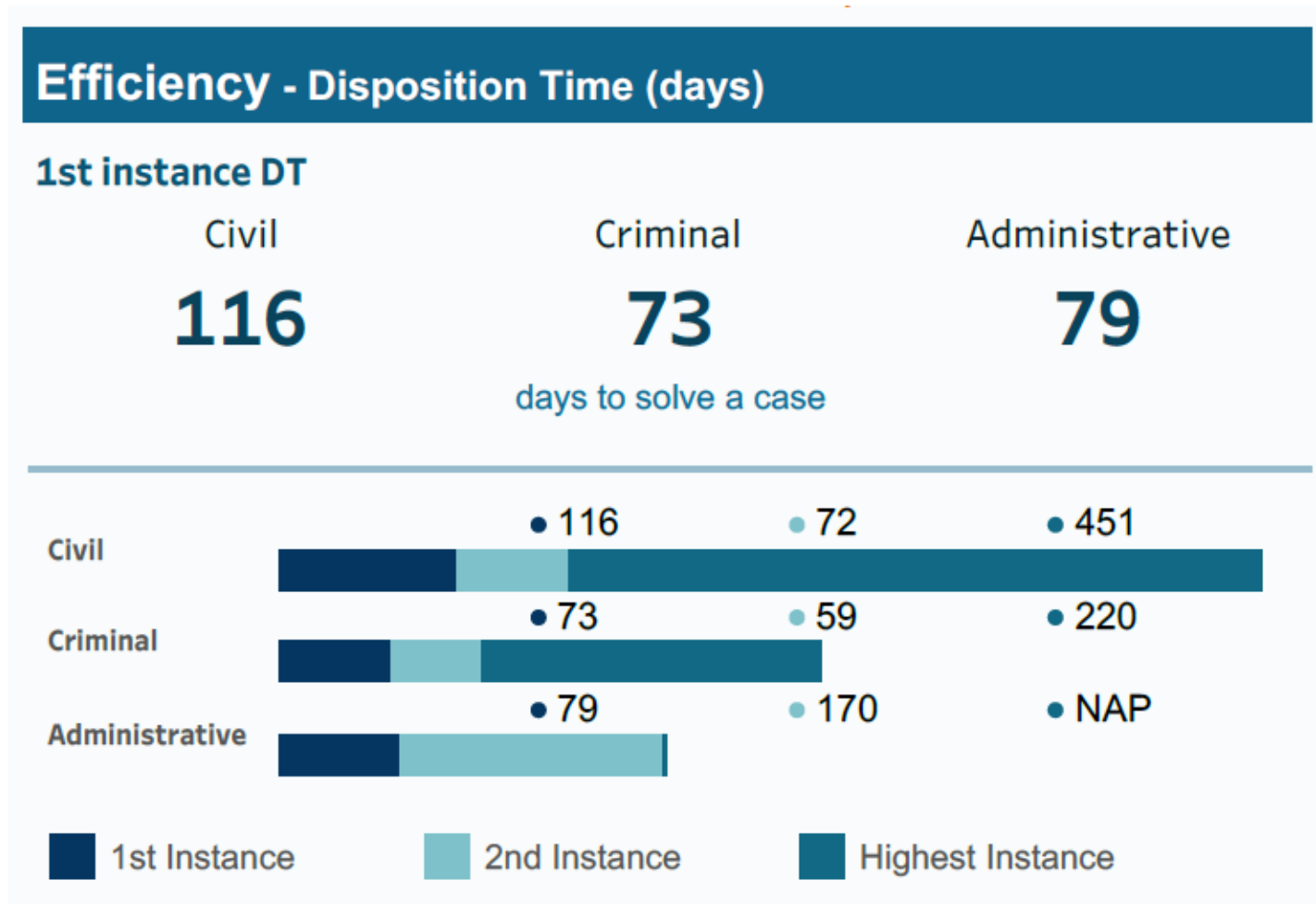
### Sri Lanka High Court Criminal Case Processing



# Performance Measures

## Time Standards

### Lithuania Median Time to Disposition – CEPEJ



### Europe Median

Civil 239 days

Criminal 133 days

Admin 292 days

# Performance Measures

## Time Standards

### Sri Lanka High Court Criminal Time Standards

Track	Case Type	Time Standard
Track 1a	Bail Applications	Bail 6 months 90%
Track 1b	Writ Applications	Writ 18 months 98%
Track 2	Magistrate Court and Labour Tribunal Appeals and Revisions	18 months 98%
Track 3	Simple Criminal Cases	18 months 98%
Track 4	Complex Criminal Cases	2 years
Backlog	Cases currently in trial (45 cases >6 years) Cases >2 years (mostly in trial)*	See procedure below**



# Performance Measures

## Duration of Pretrial Custody

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### **Pretrial custody – International Framework for Court Excellence**

*The average elapsed time criminal defendants who have not been convicted of crime are detained awaiting trial.*

Global Measures of Court Performance, IFCE

#### **Average Duration of Pre-Trial Custody = A/B**

A = Total number of elapsed days spent by criminal defendants in pre-trial custody within a specified time period (e.g., year)

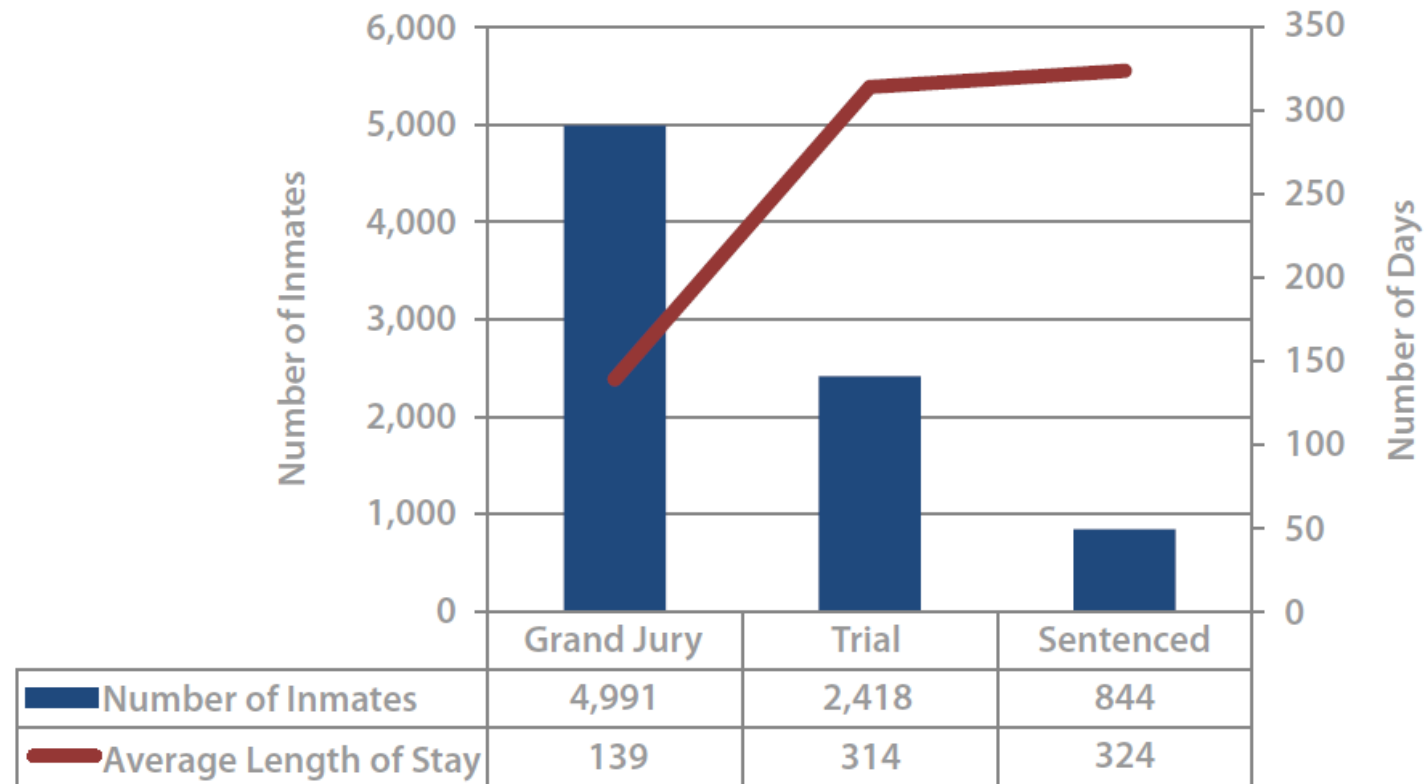
B = Total number of pre-trial criminal defendants

# Performance Measures

## Duration of Pretrial Custody

### New Jersey, U.S. Pretrial custody – Average length of stay in jail 2017

Figure 5. Superior Court Pretrial - Court Processing Stages



Data Source: CCIS Statewide dataset compiled on 10/03/2012

# Performance Measures

## Case Backlog

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### **Case backlog – International Framework for Court Excellence**

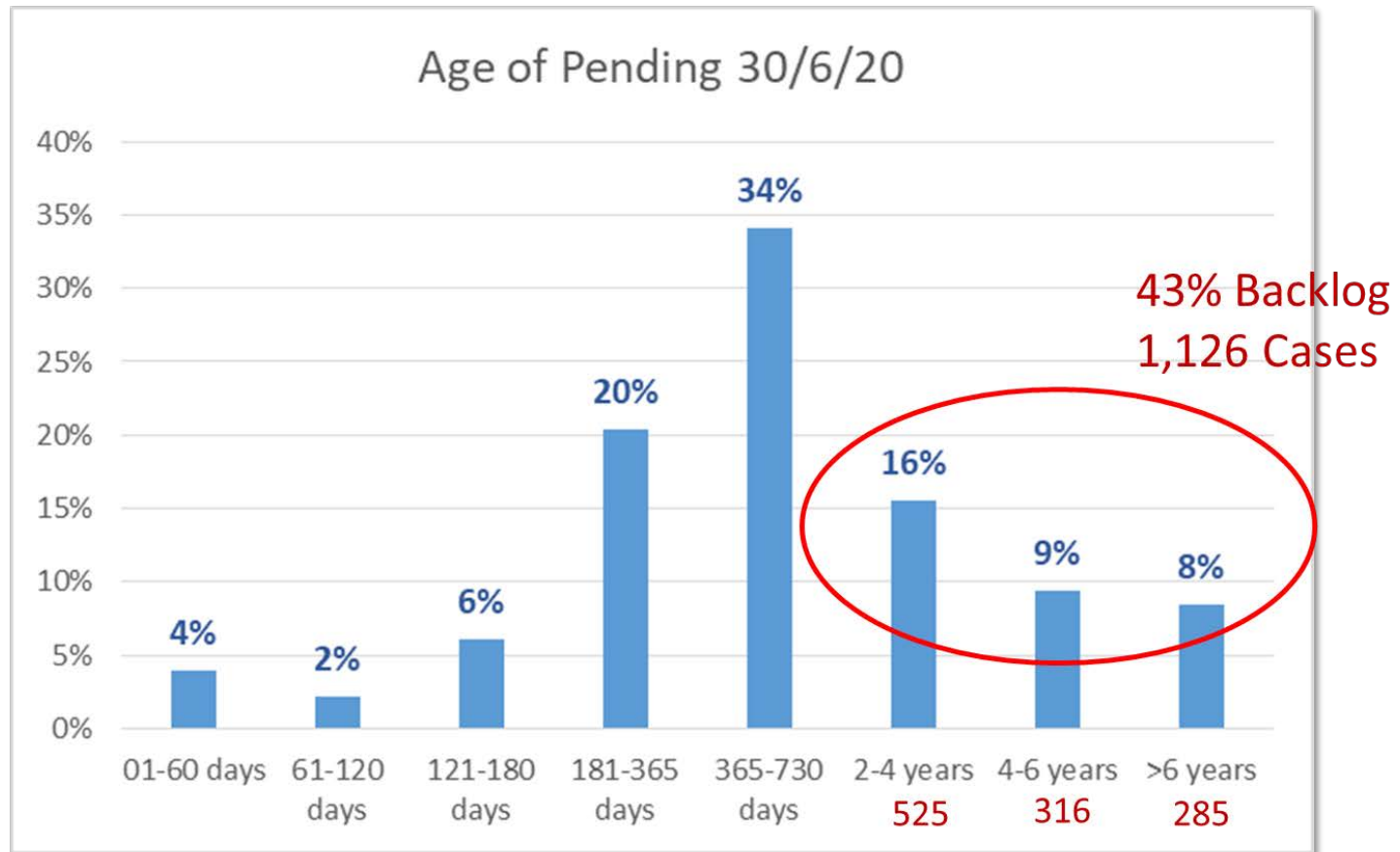
The proportion of cases in a court's inventory of pending unresolved cases that have exceeded established timeframes or time standards - the proportion of pending cases that already have taken too long.

[Global Measures of Court Performance, IFCE](#)

# Performance Measures

## Case Backlog

### Sri Lanka Commercial High Courts



# Performance Measures

## Trial Date Certainty

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### **Trial date certainty – International Framework for Court Excellence**

The certainty with which important case processing events occur when scheduled, expressed as a proportion of trials that are held when first scheduled.

[Global Measures of Court Performance, IFCE](#)

### **Trial date certainty – U.S. Courts**

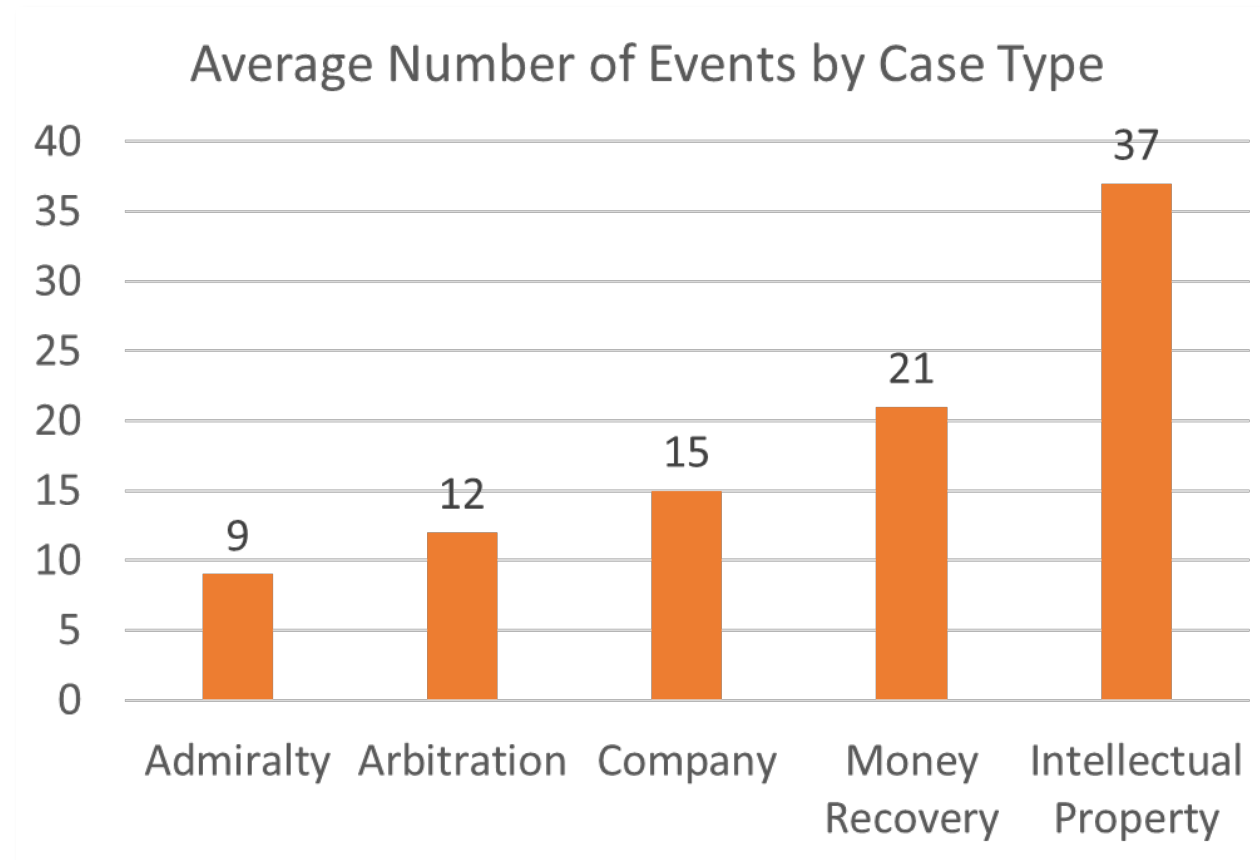
The number of times cases disposed by trial are scheduled for trial.

[CourTools, NCSC](#)

# Performance Measures

## Trial Date Certainty

### Sri Lanka Commercial High Courts



*Efficient and Effective Justice* – The Justice Management Institute

# Performance Measures

## Cost per Case

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### **Cost per case – International Framework for Court Excellence**

The average cost of resolving a single court case, disaggregated by level and location of court, and by case type.

[Global Measures of Court Performance, IFCE](#)

### **Cost per case – U.S. Courts**

The average cost of processing a single case, by case type.

[CourTools, NCSC](#)

# Performance Measures

## Cost per Case

### Sri Lanka Commercial High Courts

Estimated  
Range of  
Litigant's Costs  
for Lawyers Per  
Case

Case Type	Avg Events Per Case	Lower Cost Per Litigant	Upper Cost Per Litigant	
Admiralty	9	LKR 810,000	LKR 2,700,000	\$2.7k - \$9.0k
Arbitration Cases	12	LKR 1,080,000	LKR 3,600,000	
Company	15	LKR 1,350,000	LKR 4,500,000	
Money Recovery	21	LKR 1,890,000	LKR 6,300,000	
Intellectual Property	37	LKR 3,330,000	LKR 11,100,000	\$11.1k - \$37.0k



# Performance Measures

## Court User Satisfaction

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### **Court user satisfaction – International Framework for Court Excellence**

The percent of court users who believe that the court provides procedural justice, i.e., accessible, fair, accurate, timely, knowledgeable, and courteous judicial services.

[Global Measures of Court Performance, IFCE](#)

### **Access and fairness – U.S. Courts**

Ratings of court users on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect.

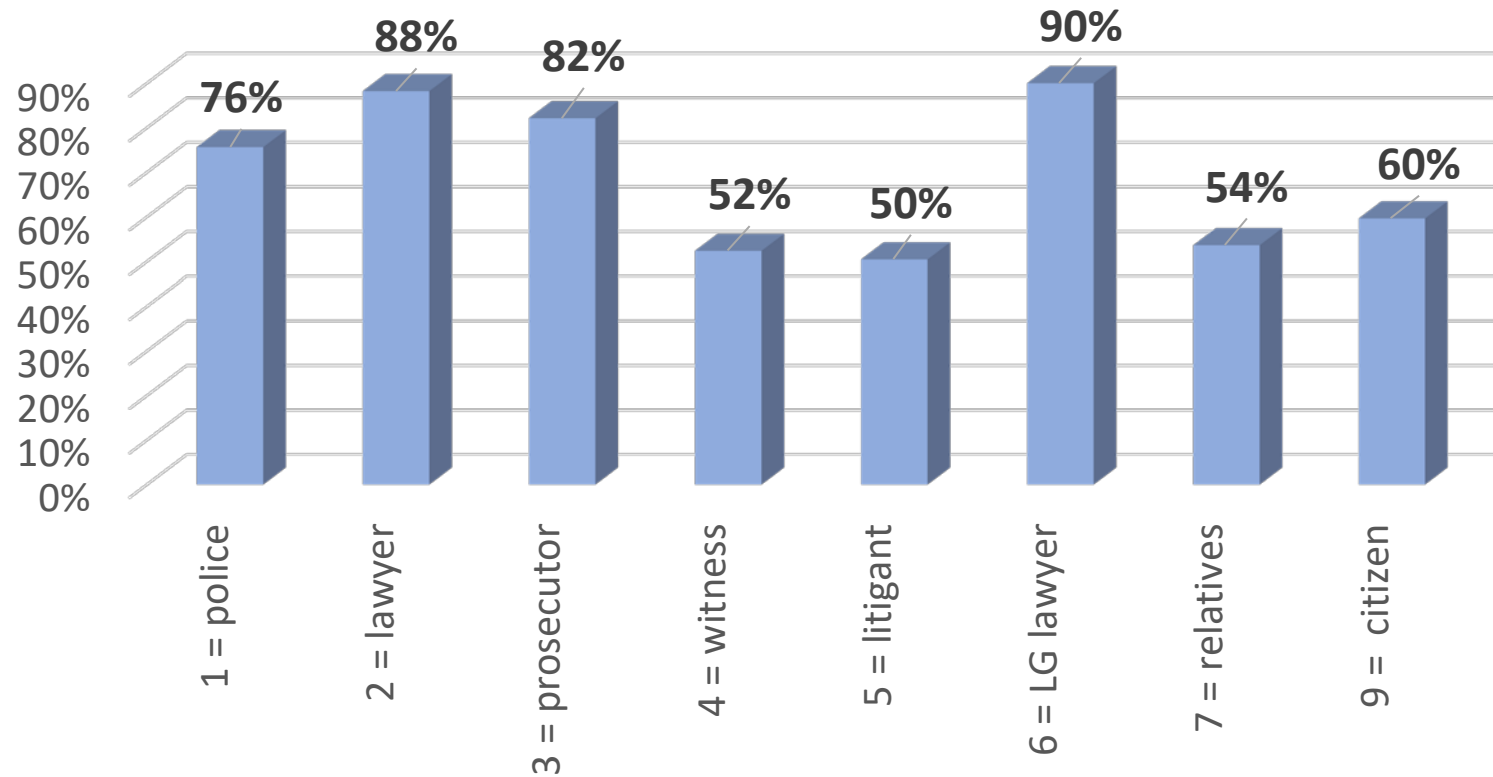
[CourTools, NCSC](#)

# Performance Measures

## Court User Satisfaction

### Myanmar Courts (pre-coup)

#### Q7. understand the instructions of the court



# Performance Measures

## For Each Case

Case No	<b>J930098</b>	<b>ADAMS, TINNESIA</b>	Div A	TRD	State	Complaint	h251181	DR License	LA123456
File Date	7/2/2018	Case Age	75 days	Open Cases	Closed Cases	<b>Bonds</b>	Attachments	Contempts	Documents

**Filings** Amend Filing Judgment

Active	Seq	Filing Type	Date	Source	Name	Document
<input checked="" type="checkbox"/>	3	Bill of Information	9/18/2018	City Attorney	Atty Name	<a href="#">Document</a>

**Payments** New Payment

No	Date	Amount	Balance
4	9/28/2019	-\$50.00	-\$50.00

**Charges** Add Charge

No	Violation	Code	Jurisdiction	Fine	Fee	Total	
<i>Amend</i>	1	NO SEAT BELT IN USE LAW	32:295.1	State	\$0.00	\$0.00	<b>\$0.00</b>
<i>Amend</i>	2	LICENSE PLATES	154:307	City	\$50.00	\$107.50	<b>\$157.50</b>
<i>Amend</i>	3	NO INSURANCE	32:865	State	\$500.00	\$127.50	<b>\$627.50</b>
<i>Amend</i>	4	VEHICLE W/O REQUIRED EQUIPME	32:1301	State	\$0.00	\$0.00	<b>\$0.00</b>
<b>Total</b>				<b>\$550.00</b>	<b>\$235.00</b>	<b>\$785.00</b>	

**Hearings** Next Action

Seq	Hearing List	Date
5	Sentence Hearing	9/18/2018
4	Trial	9/6/2018
3	Status Hearing	9/3/2018
2	Counsel Hearing	9/6/2018
1	Arraignment	7/3/2018

# Data and Information

## Expression

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- How are data and information presented?
- How are data and information used?

*We will see this explained further in Vaida's presentation next...*