

Program Report Card: Criminal Caseflow Processing (Judicial Branch, Superior Court Operations)

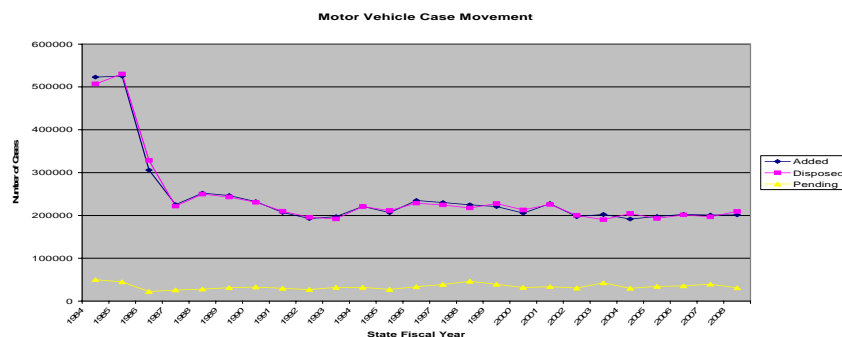
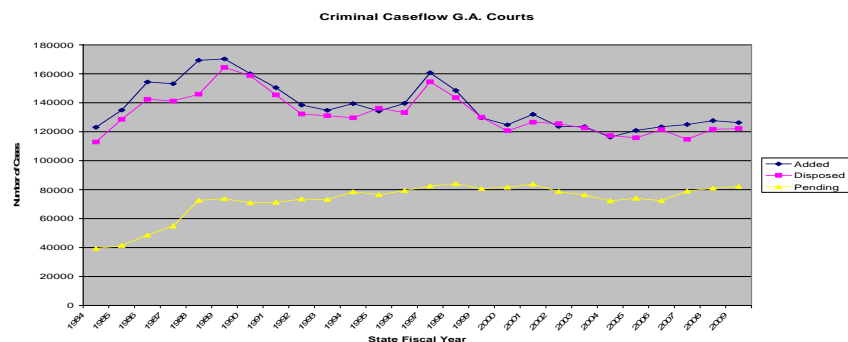
Quality of Life Result: All persons linked to a crime may appear before the court and have their matter resolved in a fair, timely, open and efficient manner.

Contribution to the Result: Criminal caseflow processing allows all criminal matters brought before the court to be effectively managed throughout the life of the proceeding and includes all case processing functions performed by court and administrative staff.

Total Program Funding: \$ 29,954,065 **State Funding:** \$ 29,690,954 **Federal Funding:** \$ 113,048 **Other Funding:** \$ 150,053

Partners: Law enforcement, Division of Criminal Justice, Public Defenders, Department of Correction, Court Support Services Division, Attorneys

Performance Measure 1: The number of legal disputes (criminal and motor vehicle cases) that are able to be managed by the court. This is indicated by number of cases added, disposed, and pending, shown below by state fiscal year.



Story behind the baseline: The largest volume of criminal caseflow takes place in the Geographic Area (G.A.) courts, while more the more serious, less numerous, criminal cases are adjudicated in the Judicial District (J.D.) courts. All statistics referenced in this report card reflect activity in the G.A. courts. Motor Vehicle cases are also adjudicated in the G.A. courts and represent a substantial amount of activity as depicted in the corresponding chart.

These charts depict the relationship between the three basic stages of a criminal matter, which can be used to offer a sense of how many legal disputes are being managed by the court, and how well they are being managed. These three indicators are: (1) the number of cases added (blue), (2) the number of cases disposed (pink) and (3) the number of cases pending disposition (yellow).

A well-functioning case processing system should show indicator lines for cases added and cases disposed running roughly parallel to each other, with the cases disposed indicator line running slightly above the cases added indicator line. The pending disposition indicator line should appear below both of the added and disposed indicators, and run in a relatively flat, downward trending manner. This configuration indicates that caseflow processing is allowing new cases to be added, providing offenders with access to the courts; allowing pending cases to come to disposition, providing resolution to matters in a fair, timely, efficient and open manner; and, providing a predictable level of pending caseload; allowing for more timely dispositions and more efficient use of Judicial Branch resources.

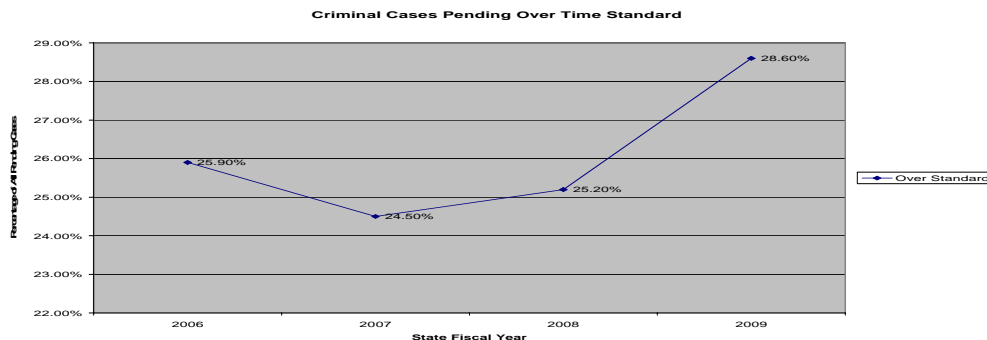
When the disposition indicator line dips below the cases added indicator line, there usually appears a corresponding increase in the number of pending cases; as the disposition indicator line rises above the added cases line, a corresponding decline appears in the number of pending cases. This general pattern holds true when examining the Branch's criminal caseflow processing data over the past 25 years. It shows that despite fluctuations in the number of cases added from year to year, the number of dispositions is slightly less the number of cases added, leading to a gradual, but steady increase in the number of pending cases. While this results in only a slight difference when looking at the data form from year to year, the cumulative effect has resulting in an almost doubled number of pending criminal cases over the past twenty-five years, resulting in a volume of work that exceeds the capacity of the current workforce.

Proposed actions to turn the curve: Success in turning the curve would be defined as caseflow processing that results in a greater number of cases disposed than cases added, so that the number of pending cases can be reduced. One solution to turn the curve would be the addition of staffing. An alternative solution that would reduce further harm would be to maintain staffing at current levels. Both of these solutions will require a fair amount of resources.

One low-cost, no-cost solution undertaken by the Branch as a part of the implementation of its strategic plan and the adaptation of RBA principles to its operations is to develop and implement a comprehensive, values-based training system for its staff in an effort to attain better efficiency within the existing workforce. This program has been painstakingly designed to utilize a combination of education, training, raised expectations, program assessment and accountability, and individual assessment and accountability to institutionalize the core values of the Branch, (integrity, fairness, respect and professionalism) and create a culture of service excellence throughout the Branch.

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Performance Measure 2: The amount of time taken by the court to resolve a legal dispute. This is indicated by the time that elapses between the arraignment date and the disposition date of a case, compared against a time standard. This chart shows the percentage of criminal cases that exceed that standard.



Story behind the baseline: The percentage of criminal cases that exceed established time standards has begun to rise over the past four years. This is may be attributed, in part, to the increased volume of criminal caseflow, as well as other factors

Proposed actions to turn the curve: As a part of the implementation of its strategic plan and the adaptation of RBA principles to its operations, the Branch is examining ways to reduce the number of delays in a case that are attributable to the procedures of the court, and thus reduce the amount of time from arraignment to disposition in a criminal case while maintaining the integrity of the court process. This is primarily being accomplished through the use of low-cost no cost solutions that have been developed through the work of the Criminal Practice Commission. Through combined efforts of judges, prosecutors, defense attorneys and court staff, information will be exchanged, issues will be identified and resolutions will be proposed that will enhance efficiency, professionalism and civility in the criminal courts and will improve the delivery of services to litigants, the bar, victims and the public.

The Commission will continue its work on the following activities:

- The Habeas Reform Committee will meet to identify issues and make recommendations regarding habeas proceedings.
- The Immigration Committee will continue to meet to make recommendations on what would be the ideal process for the Judicial Branch to follow regarding issues related to immigration.

As time and resources permit, the Commission will begin work on the following activities:

- Address the need for uniformity among the Judicial Districts in such areas as: continuance requests, discovery issues, appearance requirements at the dismissal of diversionary programs, the role of the Court Service Center
- Explore designating a statewide judge for domestic violence
- Explore having separate dockets for self-represented individuals
- Explore staggering the times scheduled on promises to appear and on other dockets
- Explore having a domestic violence docket in each court
- Explore ways to decrease the number of court appearances (i.e., do paperwork for diversionary programs prior to the court date)
- Explore the possibility of evening and/or weekend court
- Determine the best allocation of courthouse space, including the need for a confidential area in the courthouse for defense counsel to speak with clients
- Examine the criminal canvass
- Explore online/electronic adjudications that allow for the payment of fines in appropriate cases
- Increase cooperation between the bench and the bar
- Explore ways to separate the victim advocates from the prosecutors' offices
- Get defendants to sign the criminal canvass