



Managing and Measuring Court Performance in Pacific Island Courts

PRINCIPLES AND CURRENT BEST PRACTICES

Overview



1. What does it mean to measure court performance?
2. What do we already measure?
3. Some Best Practices
4. Break Out Group Work
5. Presentation of Break Out Group Work



Reasons to Measure Court Performance



What do you currently measure?

Large Group Discussion, 3 questions



Three Questions

- 1. As a Court manager, what statistics and measures do you **currently** record, publish, report on, or use?*
- 2. As a Court manager, which of these measures do you think is most important?*
- 3. As a Court manager, what measure or statistic do you **wish** you could measure or collect?*

Handout #1



- 1. See TAB 6 in your binders*
- 2. Compile answers from other people in your group onto your sheet.*
- 3. Pick one person to briefly report your answers*



What are some court performance areas?

Large Group Discussion, 3 questions



Areas of Performance

Who are our “passengers”?

As a Court manager, what general areas or aspects of court performance do you think would be important to your court’s ~~passengers~~ customers?



Areas of Performance

1. Access to Justice
2. Expedition and Timeliness
3. Equality, Fairness, and Integrity
4. Independence and Accountability
5. Public Trust and Confidence



Benefits of Measuring Performance

Large Group Discussion

Benefits of Measuring Performance



1. Insider understanding
2. Outsider understanding
3. Focus
4. Budget requests



The Three M's

A performance measure must:

1. **M**atter
2. be **M**easurable
3. be **M**aintainable



Some Recommended Measures



Best Practices



Best Practices



Time to Disposition

Represented two ways:

1. A percentage of cases disposed or resolved within established time frames, e.g. “75% felony filings disposed within 90 days”
2. An average time to disposition for a type of case, e.g. “the average time to disposition for felony filings is 88 days”



Time to Disposition

Calculate individual time to disposition for a set of cases from a certain date range.

Use a spreadsheet, subtract date cells, e.g. =A21-B21

Use =AVERAGE() function

Or use = DAYS() function



Clearance Rate

The number of outgoing cases as a percentage of the number of incoming cases.

$$\% \text{ Cases finished} \div \text{Cases started}$$



Age of Active Pending Caseload

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.

Could be the average age of pending cases **OR...**



Age of Active Pending Caseload

General Civil

Age (days)	Number of Cases	Percent	Cumulative Percent
0-90	344	18%	18%
91-180	410	21%	39%



Practice

Small Breakout Groups

Handout #2



Case Number	Date Filed	Date Terminated
1:13-cv-00001	1/12/2013	
1:13-cv-00002	1/15/2013	
1:14-cv-00003	1/22/2014	
1:15-cv-00004	3/16/2015	
1:15-cv-00005	12/30/2015	
1:15-cv-00006	4/16/2015	7/27/2015
1:15-cv-00007	4/19/2015	6/28/2016
1:15-cv-00008	4/27/2015	4/13/2016
1:15-cv-00009	5/7/2015	1/4/2016
1:15-cv-00010	5/25/2015	11/30/2015



Handout #2

IGNORE the instructions on the handout. (“loosey goosey”)

Work together to compute the clearance rate for 2015

Find the age of the active pending case associated with your table number.

Handout #2



fx =DAYS(TODAY(),F9)

D	E	F	G	H
	Case Number ▾	Date Filed ▾	Date Terminated ▾	Age ▾
	1:13-cv-00001	1/12/2013		1419
	1:13-cv-00002	1/15/2013		1416
	1:14-cv-00003	1/22/2014		1044
	1:15-cv-00004	3/16/2015		626
	1:15-cv-00005	12/30/2015		337
	1:15-cv-00006	4/16/2015	7/27/2015	102
	1:15-cv-00007	4/19/2015	6/28/2016	436
	1:15-cv-00008	4/27/2015	4/13/2016	352
	1:15-cv-00009	5/7/2015	1/4/2016	242
	1:15-cv-00010	5/25/2015	11/30/2015	189

Access and Fairness Survey



Access and Fairness Survey

Section I: Access to the Court
Circle the Number

1. Finding the courthouse was easy.
2. The forms I needed were clear and easy to understand.
3. I felt safe in the courthouse.
4. The court makes reasonable efforts to resolve my case.
5. I was able to get my court business done.
6. Court staff paid attention to my case.
7. I was treated with courtesy.
8. I easily treated with court staff.
9. The court's decision was fair.
10. The court's decision was based on the law.

Agree Disagree

Reliability and Integrity of Case Files



The percentage of files that can be retrieved within some appropriate amount of time and that are complete and accurate.



Reliability and Integrity of Case Files

Were you able to find the case file?

How long did it take you?

Does the docket sheet match the case file? If not, what is missing?

How many case files had missing documents?

Was the file organized properly?

Are sealed documents treated appropriately?



Collection of Monetary Penalties

Randomly pick criminal case files and check against your financial ledgers.

Ask some questions...what questions?



Collection of Monetary Penalties

Are litigants in compliance with judicial orders?

Are you collecting fines, restitutions and special assessments in accordance with the judgments?

Does the court collect and turn over restitution payments in a timely manner?

Are victims being located expeditiously?



Court Employee Satisfaction

Ratings of court employees assessing the quality of the work environment and relations between staff and management.





Other Measures

- Trial Date Certainty
- Process Times
- Percent civil actions settled
- Cost per Case
- Percent Jurors not used (only applies to a few PJC courts)
- Numbers of customers served
- Transaction Volumes per staff member



What can you do with these measures?

Large Group Discussion



Some risks...
Small Group Discussion

Handout #3



Brainstorm some possible RISKS associated with measuring court performance.



Some Risks

Some may try to use these measures to measure the performance of individual judges,

Some may try to use these tools to compare courts,

Not all of the measures might apply to every court,

Legislatures may try to use them to attack the court



Planning Feasible Initiatives

Small Breakout Groups

Handout #4

For the measure you chose, discuss :

1. Who will collect the information,
2. How they will collect it, and
3. How you will use the data

Planning Feasible Initiatives

Small Breakout Groups



Presentation of Initiatives

Each breakout group presents initiatives to large group