

Criminal Caseflow Management

Court Self-Assessment Instrument

Purpose: To assist in analysis of the status of the criminal caseflow management system.

Process: Record your perceptions of the current system overall using the following scale:

- 1 = Definitely Not
- 2 = It's Hard to Tell
- 3 = Application is Inconsistent/Happens Occasionally
- 4 = Appears Mostly True
- 5 = Definitely True/Consistently Observed

1. The court has a written caseflow management Plan _____
2. The chief judge demonstrates active leadership in assuring effective caseflow management by reviewing the statistics of all judges, placing caseflow management on the agenda of judges' meetings, and discussing caseflow issues with the court's administrators _____
3. Judicial commitment to the concept of court responsibility for assuring timely case progress is evident on the part of most or all judges _____
4. If this is a multi-judge court, caseflow management policies and procedures are reasonably uniform among the judges _____
5. There is frequent communication between courtroom staff and the judge about caseflow management issues and/or case delays _____
6. The court uses statistics/information prepared by the Administrative Office of Courts or other sources to evaluate its caseflow management system _____
7. The court administrator is an active participant with the chief judge in addressing caseflow management issues _____
8. Every scheduled appearance of the defendant serves as a meaningful opportunity to either dispose of the case or make significant progress toward disposition; in other words, status calls or calendar calls are not used _____
9. Trials or hearings usually occur on the first scheduled date _____
10. If this is a multi-judge court, judges take cases from each other when schedule problems arise, so that continuances can be avoided _____

11. Cases always have a future action date or deadline assigned
12. The court has a written continuance policy in place
13. Attorneys must present continuance requests in writing
14. Continuance requests must establish good cause for the request
15. Requests must state what efforts have been made to avoid the request
16. Requests for continuance must be ruled on by the judge
17. There are system-wide goals regarding criminal caseflow to which the criminal justice community has agreed
18. There are time standards governing the time between each event in the flow of cases from initial appearance to disposition
19. The court monitors the time between events by collecting statistics
20. There is regular communication *among the court and other justice agencies and the private bar* regarding caseflow issues
21. Incident/arrest reports are received from law enforcement within three days of the incident
22. Incident/arrest reports are clear and complete
23. Defense counsel for indigent defendants is appointed and notified promptly
24. Appointed counsel interview clients within 24 hours
25. Defense counsel receive the report *before* the first court appearance
26. Discovery is exchanged early enough to facilitate early disposition
27. Disposition offers are realistic, usually
28. Offers do not improve substantially simply due to the passage of time
29. The judge, prosecution and defense in the case make an early assessment of case complexity and the time needed to dispose of the case
30. Cases appropriate for early plea and disposition are identified and disposed of early

- 31. There is explicit emphasis on case disposition at the earliest possible time _____
- 32. Trial dates are set only when it is clear that a trial will be needed _____
- 33. Conference, hearing and trial dates are perceived by the legal community and the judge to be credible and firm _____
- 34. Deadlines for filing and hearing motions are set and enforced _____
- 35. Motions deadlines and hearings are timed to facilitate early disposition _____

Felonies Only

- 36. Defense lawyers receive disposition offers early, e.g. in felonies by first appearance in the superior court _____
 - 37. A case management conference between the judge and lawyers occurs within 30 days of first appearance in the felony court _____
 - 38. Defense counsel and the prosecutor confer on possible disposition of the case prior to the case management conference _____
 - 39. A timetable for disposition of the case is established early _____
- TOTAL _____

Add the scores, and divide by the number of questions.
 Exclude questions 36 to 39 if you are assessing a county court.
 A perfect result would be "5". The extent to which the actual result
 departs from "5" will give an indication of how far the system itself departs from
 being a fully effective one.