The National Center on Elder Abuse Administration on Aging is another national resource for advocates and professionals in all areas dealing with this often underreported problem. The site is located at www.ncia.aao.gov. There, visitors will find a fact sheet, funded via a grant awarded by the U.S. Administration on Aging, Department of Health and Human Services. In addition, visitors will find information and citations to important studies and reports that have been completed in this area. The NCEA was established in 1993 and is a partnership between six organizations, with the National Association of State Units on Aging (NASUA) being the lead agency.

Another site worthy of mention is the National Committee for the Prevention of Elder Abuse site, located at www.preventelderabuse.org. Links to other related organizations and publications can be found here, as well as training resources and recommended guidelines for state courts. Resource information related to domestic violence and the elderly, financial abuse of the elderly, and the service needs of older battered women are complete and very helpful. These Web sites not only foster greater understanding of the criminal justice system's evolving role, but they provide valuable information and links to additional resources for court managers and judicial officers as well as other professionals in these fields.

Strengthening Caseflow Management

By Brian Ostrom and Richard Schauffle

Today's state judicial leaders and top court managers embody a greater awareness and responsiveness to the call for judicial branch accountability. Ernie Friesen's recent article in Court Community offers an excellent summary of recent conversations within the National Association for Court Management on the need to reestablish the importance of effective caseflow management practices. Certainly there are good reasons to think that the state courts are better positioned now than before to institutionalize caseflow management: a) a greater demand for and acceptance of accountability; b) more sophisticated information technology; and c) increased interest in and practice of court performance measurement by today's court leaders.

Before discussing these success levers, we think it important to put the problem in perspective. We doubt it was ever the case that more than a small minority of courts made a serious commitment to caseflow management improvement efforts in the 1980s, just as it is true today that only a small number of courts are earnestly engaged in performance measurement. The limited number of pioneers does not diminish what was and is being accomplished, but it puts it in proper perspective. To fail to understand this is to suggest that the best days of state court administrations are behind us. That is neither true nor helpful—in fact, it risks demoralizing a new generation of judges and court managers.

Concerning the substance of Friesen's main claims, he correctly points out that the success (or failure) to institutionalize caseflow management revolves around judicial leadership. However, he locates this responsibility at the level of the individual trial court judge. We agree that judges are key players, but caseflow management cannot be revived one judge at a time. The use—or non—of caseflow management starts at the top of the judicial branch, with the chief justice and the state court administrator. While states vary in the authority these figures hold over trial and appellate courts, nonetheless the facts are that clear and decisive leadership, nothing gets institutionalized. Thus, while most states endorsed time standards in the 1980s, it didn't take long for courts to figure out that no one used them, and with that the game was lost almost from the outset.

In contrast, today's state judicial leaders and top court managers embody a greater awareness and responsiveness to the call for judicial branch accountability. Increased citizen interest in the efficient and effective use of public resources now shapes what judicial leaders see as their obligations to show how well they are using resources to achieve planned goals and outcomes. Leading examples of this recognition can be seen at work in Utah and Massachusetts, where state court officials make it clear that the judicial branch and its individual courts are and will continue to be evaluated and managed on the basis of court performance measurement. Massachusetts says it eloquently: "The new approach reflects the
commitment to transforming the culture of the Trial Court to 'a culture of high performance and accountability,' in which management decisions and policies are informed by performance-based data, rather than anecdotes and intuition."

This commitment to excellence is also reinforced and accelerated by making public this information on the efficiency, timeliness, and quality of court services. The reports of Massachusetts are publicly posted on their Web site: (http://www.mass.gov/courts/cmabreport.html) Utah's data are available on its Web site: www.utcourts.gov/court tools. Drawing attention to how well courts meet institutional goals represents a decisive break from the past, when this information (if it existed at all) was seldom discussed outside the courthouse walls.

Systematic reporting practices illuminate a key difference between the 1980s and today: the increased sophistication of information technology in general and case management systems in particular. Case management systems can now more readily produce actionable, meaningful information today than before. But this only happens when that information is defined and specified by court leaders and managers who commit to performance-based court management. Without that leadership, case management systems sit like black holes in space: all the data go in, but none come out.

Finally, successful caseflow management is more likely today if it is situated within a broader, balanced set of performance measures that capture the whole of what courts do as organizations. It is true, as Friesen argues, that the business of courts is cases. But it is also true that courts must balance competing demands and expectations by a wide audience of diverse stakeholders. These contending interests require performance measures to include the classic caseflow management measures of timeliness (e.g., clearance rate, time to disposition, age of active pending caseload,) but to go beyond these and incorporate measures of effectiveness and quality of justice, such as access to justice and procedural fairness as well as other dimensions of the court's work. The CourTTools measures represent one attempt to define an integrated and comprehensive set of such measures.

Thus, the prospects for widespread acceptance of caseflow management principles are better than ever, but the likelihood of success increases if caseflow management is synchronized with the move toward performance-based court management. Because performance management in general is gaining in strength and visibility, the prospects for caseflow management becoming more firmly institutionalized will be enhanced by uniting it with this larger trend in court improvement.

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