



EFFICIENCY REVIEW KIT

COURT CASEFLOW MANAGEMENT

Revised May 2021









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Efficiency Review

Court caseflow management

The purpose of this Efficiency Review is to provide a framework for partner courts to examine efficiency in the case resolution process and to strengthen procedural justice. This Review helps ensure court users are granted with rights to a just, timely and fair trial and that costs are minimized.

The aim of the *Efficiency Review* is to:

- ✓ Understand the current situation in your court and to provide a baseline from which improvements can be measured;
- ✓ Provide a self-assessment of the 7 Areas of Court Efficiency;
- ✓ Help identify and eliminate delay;
- ✓ Identify strengths and weaknesses for improvement; and
- ✓ Help continuously improve efficiency through the development of an Improvement Plan.

The review comprises the following stages:

- 1. A self-assessment around 7 Efficiency Areas;
- 2. Analysis of results;
- 3. Development of an Improvement Plan;
- 4. Implementation of the improvement plan; and
- 5. Continuous yearly review and improvement.

The 7 Efficiency Areas Self-Assessment is effectively a health-check of caseflow and case management in your court.

This framework is to be used in conjunction with the <u>PJSI</u>
<u>Efficiency Toolkit</u> and Additional Materials.

7 EFFICIENCY AREAS

- 1. Current situation
- 2. Leadership
- 3. Procedures
- 4. Judicial management
- 5. Caseload control
- 6. Delay management
- 7. Effective court personnel





EFFICIENCY AREA 1: CURRENT SITUATION

Disposed caseload data

Total number of cases disposed:			
Comment:			
Number of cases disposed per case type:			
Comment:			

Now refer to the following *Top 8 Pacific Island Core Court Performance Indicators*, calculate and analysis them to complete your assessment of the current situation. It is helpful to present the results in a Report, such as the example presented later in this review.

TOP 8 PACIFIC ISLAND CORE COURT PERFORMANCE INDICATORS

- 1. Clearance Rate
- 2. Reserved Judgments
- 3. Age Distribution Pending
- 4. Average Age to Disposal
- 5. Pending Cases per Stage
- 6. Number of Cases Disposed per Judge
- 7. Pending (to) Disposal Ratio
- 8. Attendance Rate





Performance Area Outcome	Indicators/Measures	Graphic
Manageable overall caseload	 1. Clearance rate – the number of outgoing cases as a percentage of the number of incoming cases. Used to identify if the court is accumulating cases in excess of disposal levels Calculated: Cases Disposed x 100 = % Cases Filed Target - Greater than 100% 	5 Years - Volumes/Clearance Rate 180% 160% 800 700 600 500 400 100% 80% 100% 80% 100% 100% 80% 100% 10
Minimal delay in final adjudication	 2. Reserve Judgments - Number, age and percentage of reserved judgments outstanding in relation to time goals Used to identify number and age of reserved judgments per judge and overall. Assists in planning targeted approach assist judge to reduce reserve judgments. Target - Low, and no delay 	Reserved Judgments 16 14 12 10 8 66 4 2 0 Judge 1 Judge 2 Judge 3 Judge 4 Judge 6 Judge 7 Judgment Reserved # of Reserved Judgments > 90 days Average age (DAYS) of Reserved Judgments





Performance Area Outcome	Indicators/Measures	Graphic
Delay prevention in delivery of timely justice	 4. Age distribution of the pending caseload - the age of active cases that are pending before the court measured as the number of days/months/years from filing until the time. Identifies the age of active pending cases in relation to their filing dates, to highlight areas of congestion and scale of delay Target - No LONG tail, meeting of time goals 	Age and Distribution Of Pending Cases 349 200 9 13 25 21 18 41 30 57 87 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
Productivity, efficiency & delay management	 3. Average age to disposal - the average time it takes to dispose of a case in days Target - within time goals or within expectations 	5 Years - timeliness of disposals and Attendance Rate 700 640 600 480 525 555 14,0 120 100 400 8.0 300 6.0 200 4.2 4.7 5.6 5.4 4.0 100 2016 2017 2018 2019 2020 Attendance Rate Average Age (Days)





Performance	Indicators/Measures	Graphic	
Area Outcome			
Continuous case progression in delivery of timely justice	 5. Number and percentage per cases stage Used to identify what stage the cases have progressed to, to highlight where delay might be Target - Significant % with Future Listing, few cases not moving toward disposition. 	Cases pending by stage Warrant Issued, 23, 3% Next Court Tour, 22, 3 *Select*, 102, 12% Judges Attention, 104, 13% Judgment Reserved, 30, 4% *wait*, 75, 9%	
Efficient use of resources to maintain consistent levels of judicial services	 6. Number of cases disposed per judge The number and percentage of disposed cases per Judicial Officer in a year • Target – Consistency/Within expectations 	Cases disposed last year 350	





Performance	Indicators/Measures	Graphic
Area Outcome Effective forecasting to ensure timely delivery of justice	 7. Pending to Disposal Ratio - The number of cases pending (demand) in relation to the number of cases disposed, usually over a year (current productivity capacity). The Pending to Disposal (PDR) ratio tells us approximately how long it will take us to deal with the current pending caseload based on recent performance Target Aim for our PDR to be a low as possible 1 or below for a higher court 0.5 or below for a lower court In this case the Pending to disposal ratio is: 200/100 = 2 This equates to approx. 2 years worth of work. 	Pending to Disposals 250 200 150 50 Pending Disposal





Performance Area Outcome	Indicators/Measures	Graphic
Efficiency and delay prevention	 8. Attendance rate - How many times parties attend a court proceeding, on average, prior to disposal. (Sometimes called continuance rate or adjournment rate.) Target - Lower is better BUT sometimes greater is good. 	Closed Cases Select Location: All Select Judicial Officer: All View Detail New Detail Reset Average Case Duration 175 days Average Attendance Rate 3.0 Number of Closed Cases 646





SAMPLE COURT PERFORMANCE REPORT

ALL SUPREME COURT QUARTERLY PERFORMANCE REPORT

133%

Case Volumes and Clearance Rate

Previous 5 Quarters	Registered	Finalised	Gearan ce F	inte
2020Q1	16	29	161%	
20200,2	16	25	1.39%	
2020Q3	26	42	150%	
2020Q4	40	38	88%	
2021Q1	10	12	130%	
To tal/clearan ce rate	117	146	125%	



Calendar					
Previous 5 Calendar	Years	Registered	Finalised	Gearan ce i	Rante
	2017	141	158	1.12%	
	2018	900	172	190%	
	2019	E	101	1.16%	
	2020	107	134	125%	
	2021	10	12	1,20%	

435

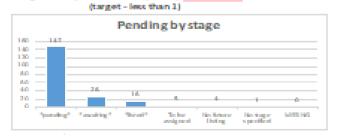
577



Pending Workload

Current Pending 199 costs
Average Age of Pending 1276 book
Pending to Disposal Ratio (PDR) 1.7

To tal/clearance rate









SAMPLE COURT PERFORMANCE REPORT cont'd

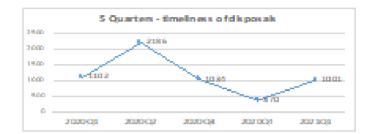
Timeliness of Disposals Average Age to dispose cases (days)

Assertage

Previous 5 Quarters

Previous 5 Calendar Years

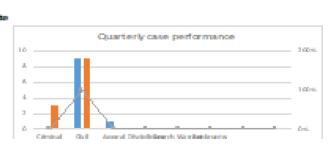
2017	942
2018	1.123
2019	1.275
2020	1075
2021	1001
of this 6 years.	1086





Commentary

Quarterly Volumes	qre	1	2021	
-	Registered	Finalised	Gearan ce i	Rante
Criminal	0	3		
Civil	9	9	1.00%	
Appeal	1	0	086	
Disciplinary	0	0		
Search Warrant	0	0		
Bankruptcy	0	0		
	0	0		







comments and observations abore eports, feedback and other sou	out the current situation. You may refer to the above indicators, user survey results, irces.
EFFICIENCY AREA 1: CURRENT SI	TUATION SELF RATING RESULT
Based on the information and indicators in	Area 1, how would you rate the overall efficiency of your court on a scale of 1 – 100 where 100 is the best?
Answer %	





EFFICIENCY AREA 2: LEADERSHIP

Lead	eadership Actions		Comment	In Plan?
1	There is a team comprising of actors across the sector, including lawyers, who are responsible for improving justice services			
2	The court takes a leadership role across the sector to improve efficiency in caseflow			
3	Judges and court leaders work together to ensure cases are not delayed			
4	Presiding judges and court personnel in leadership positions are skilled in leadership and management			
5	Leaders are held accountable for their performance			
6	Leading judges and court staff court performance reports to monitor timeliness and productivity			
7	Leaders use time goals and other targets to measure delay and create a commitment to timeliness			
8	Judges and court personnel understand their role in the caseflow process and this role is written into position descriptions or policy			
9	Judges hold judge meetings regularly and discuss caseflow, delay and progress in preparing reserve judgments			
10	The court controls the pace of litigation, not the parties			
11	Judges are provided and use personalized reports each month about active cases in their dockets that includes case progress against time goals and the number and age of reserve judgments			
12	The court is continually seeking to improve its case management systems whether manual or computerized.			
	Total			
	Maximum score	60	1	
	Divide total score by maximum score x 100 to find your % result		1	





EFFICIENCY AREA 3: PROCEDURES

Proce	Procedural Actions			In Plan?
1	The court has a framework of case management powers in statutes with rules, procedures and practice directions which are regularly reviewed			
2	Judges and court staff are knowledgeable about the case management framework and comply with them in their daily work			
3	Every case is screened early by a judge (no more than 48 hours from filing) for its compliance with filing requirements and to determine case characteristics for case differentiation			
4	The court has a policy regarding differential case management			
5	Cases involving children as defendants or victims are automatically differentiated and prioritised			
6	Family violence matters are prioritised			
7	Cases where the defendant is remanded in custody are differentiated and prioritised			
8	The court uses colour coding on files and documents for differentiated cases			
9	The court has alternative dispute resolution options such as mediation, judicial settlement conferencing and uses them			
10	The court recognises that most disputes do not end in a trial and therefore, stimulates the parties toward alternative dispute resolution options and settlement			
	Total			
	Maximum score	50]	
	Divide total score by maximum score x 100 to find your % result		1	





EFFICIENCY AREA 4: JUDICIAL MANAGEMENT

Judio	cial Management Actions	Rating	Comment	In Plan?
1	Court users understand that the court controls the pace of litigation			
2	Judges supervise cases continually and there are few cases without a future listing date			
3	The court has published guidelines regarding recusal and conflicts of interest			
4	Judges hold case management conferences and set timetables to assure the thorough and timely preparation of cases			
5	Trials are prepared in detail and in advance considering the structure, length and presentation of testimony i.e.: affidavit evidence, oral evidence, special needs of witnesses and victims			
6	The court has an agreed and published adjournment (continuance) policy that is complied with			
8	It is very unlikely that trials will be adjourned on the day of trial commencement			
9	Trials are never adjourned because the court is not ready or doesn't have resources			
10	The court monitors trial date and important event vacation rates			
7	The court has a reliable capacity to take remote testimony using video technologies			
11	Judges know how to deal with poor performance by lawyers			
	Total			-
	Maximum score	55		
	Divide total score by maximum score x 100 to find your % result			





EFFICIENCY AREA 5: CASELOAD CONTROL

Case	eload Control Actions	Rating	Comment	In Plan?
1	The court divides the current caseload into an "active pending list", "inactive pending list" and separates out enforcement and bench warrant cases from these lists			
2	Every case in the "active pending list" has a date diarised for a future court, administrative event or other action			
3	Cases are assigned to judges using a random allocation system			
4	Judges with a recognized specialised expertise in an area of law are generally allocated those cases			
5	Cases are distributed evenly amongst judge dockets			
6	Judges are satisfied with their (centralized or individual) docket system			
7	The number of cases in individual judge is fair and equalized from time to time			
8	The court has a manual of instructions for caseflow management, and all staff and judges have access to it and are knowledgeable of its contents and put it into practice			
9	There is continual oversight of enforcement proceedings			
10	The court completes a thorough Caseload Audit annually			
	Total			-
	Maximum score	50		
	Divide total score by maximum score x 100 to find your % result			





EFFICIENCY AREA 6: DELAY MANAGEMENT

Dela	ay Management Actions		Comment	In Plan?
1	Registry services are efficient and timely and there are benchmarks times for service			
2	Judicial and administrative leaders are constantly aware of the size and nature of the pending caseload and in particular, the nature and levels of delay			
3	Leaders know if and at which stage, cases are delayed, and the number of cases delayed			
4	Leaders take active backlog reduction action as soon as a backlog is detected			
5	There is no delay in the writing and delivery of reserve judgments			
6	There is no delay in the disposition of cases			
	Total			
	Maximum score	30		
	Divide total score by maximum score x 100 to find your % result			





EFFICIENCY AREA 7: COURT PERSONNEL PARTICIPATION

Cour	Court Personnel Participation Actions Rating			
1	Court personnel are confident in their roles and believe they provide excellent service (internally and externally)			
2	Court personnel produce accurate performance reports for court leaders each quarter			
3	Registry personnel screen filings to ensure they are compliant and complete			
4	Court personnel are competent and maintain accurate, tidy and up-to-date records including the Case Tracking System			
5	All files and documents are found without delay in the place they should be			
6	Court personnel are effective at dealing with and resolving complaints			
7	Court personnel are involved in innovation and improvement plans and processes			
8	There is a protocol on how to make courts more accessible for people living with a disability			
9	Court personnel have training and education opportunities to help them build their knowledge and improve			
10	Court personnel are complimented and rewarded for efficient performance			
	Total			
	Maximum score	50		
	Divide total score by maximum score x 100 to find your % result			





Place each Efficiency Area score from the above 7 Areas into the table below. Now you can see at a glance the overall view of the performance of your court in each Area. You can use Excel to create a simple graphic result. This is useful for reporting purposes.

Seeing your strengths and weaknesses can then help you determine which area the court needs to focus on to improve efficiency.

Calculating your Efficiency Rating

- insert your results here

Efficiency Area	Efficiency Self - Assessment Results %
1. Current Situation	
2. Leadership	
3. Procedures	
4. Judicial Management	
5. Caseload Control	
6 Delay Management	
7 Court Personnel Participation	
OVERALL AVERAGE %	



Diagram 1 Example Efficiency Result





AIM	•To conduct a fair trial efficiently within	a reasonable time			
OBJECTIVE	•To remove unacceptable de lay in servi	ces and increase the	predictability of time t	o disposition using tin	ne goals
CURRENT SITUA	Little delay is reported, however there i effic ency.	s a desire for improve	ements in JIS data collect	ion and reporting to in	crease
trategy	Action	Location	Timing	Responsible	Indicator
L. Enhance & use internal performance	1.1 Develop and use report for the Court and Individual Judge Dockets	Remote	30-Jul-17	PJSI	Report used on
eports	including the tracking of time goals and priorty cases eg: FPA and matters involving children.				monthly basis
	1.2 Administrative Director to review with COC and MIS and Chief Justice		30-Jul-17	AD & COC	
	to review/ approve				
	1.3 Training and Introduction		28-Aug-17	AD& MIS	
	1.4 Monthly Use at Justice Meetings.		Ongoing	SJ & AD	
2. Improve information capture on files	2.1 Use Colour Coding to distinguish case types	Central	End 2017	COC & CC	Reduction in tim
	2.2 File Covers to contain vital information - at a glance				and informatio
	2.3 Number documents				
	2.4 Colour code for urgent/sensitive matters				
	2.5 Notate when & who updates JIS			COC & CC	
les es es es Dellah IIIb. Lefe es ebles & Debe	2.4.6	Central	15 0 17	SJ & COC & CC	I am landada a a a
3. Improve Reliability Information & Data Reliability	3.1 Conduct an inventory and ensure JIS is completely up-to-date & accurate.	Central	16-Oct-17	SI & COC & CC	Low incidence of errors and
4. Enhance MIS	4.1 Capture Information for annual report incl. gender & age disaggregation for petitioners, victims, offenders and include automatic calculation of ages.	Central	end 2017	AD & MIS	Increased usage, reliability & reporting using JIS.
	4.2 Give permissions to Judge and Chamber Clerk to pull up reports				
	4.3 Include a an "Inactive List" and drop downs for "off island" and "bench				
	warrant"				
	4.4 Drop down for minors as victims 4.5 Explore linkages to Probation Office for core dates and tasks and				
	reminders.				
	4.6 Update & upgrade report for Next Scheduled Event				
	4.7 Enhancement required to link fines paid to files - generation of				
	electronic report & noting of payments.				
5. Reduce waiting times for juveniles ssued with a citation	5.1 Provide another return date on Fridays for Citations.	Central	5-Jul-17	SJ & CC i	Two return date per week for juvenile citations
		1.0	gend: SJ Senior Jud	ae	
	Systemised monitoring, identification and removal of delay.]	AD Administr	ative Director	
Outcome	Time Goals are monitored and met.		COC Clerk of th		
	Improved systems & processes & caseload management		MIS Manager		
	Juveniles justice services are improved	Sy.	stems		
	More cases disposed of within time goals	, .	PJSI Efficiency	Adviser	
	Performance reports which are used by leaders to manage the case	-			
Output	progress and monitor delay				
221721	Improved JIS system				

Inventory Checklist

- JIS Check List for accuracy and completion
- Parties are correct
 Lot number is entered and correct in land matters
- Name of land is correct
- Worksheet number is correct
- Next scheduled event is entered (EVERY CASE IS TO HAVE A NEXT SCHEDULED EVENT)
- File location for file logistic tracking this must be filled out each time the file is moved to another person/location.
- Check scanning is completed

EFFICIENCY IMPROVEMENT PLAN

Your last step in completing the Efficiency Review is to create an Improvement Plan. In the review process you have already identified the items to be included in your plan. Based on those items and the views of the team you can determine the strategies and actions needed to realise improvements and allocate responsibilities for completion.

As a guide, here is a sample plan used in a PIC. The plan is easily created in Excel or in MS Word using a table.

To ensure success your Chief Justice/presiding judge who will review it and consider questions of resources must approve the plan.

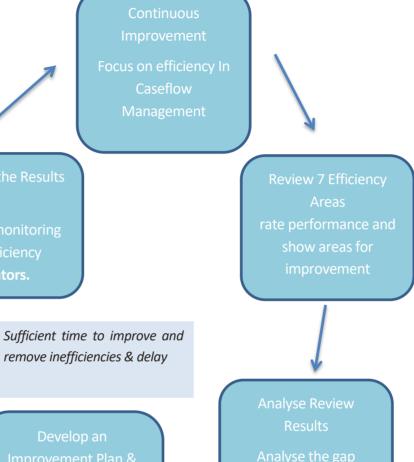
This Review and planning process is not a one-off event. It is a part of a continuous cycle of improvement, as represented on the following page.





IMPROVING EFFICIENCY IS A CONTINUOUS CYCLE

Achieving sustainable improvement requires a sustained effort. By conducting this review annually, you can measure your progress and can see and be proud of your achievements.



CONGRATULATIONS Develop an ON COMPLETING YOUR **EFFICIENCY REVIEW**

assistance, especially if implementing efficiency improvements using technology.

financial and technical

additional

May need

Obtain court-wide &

The information in this publication may be reproduced with suitable acknowledgement.

This Efficiency Review is to be used in conjunction with the Efficiency Toolkit – Court caseflow management and Additional Materials.

Toolkits are evolving and changes may be made in future versions. For the latest version of the Toolkits refer to the website -

http://www.fedcourt.gov.au/pjsi/resources/toolkits

Note: While every effort has been made to produce informative and educative tools, the applicability of these may vary depending on country and regional circumstances.

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Prepared by Ms Jennifer Akers for the Federal Court of Australia

Enquiries: Federal Court of Australia Locked Bag A6000, Sydney

Australia, NSW 1235

Email: pjsi@fedcourt.gov.au

Web: http://www.fedcourt.gov.au/pjsi