# How Are We Doing? Using Performance Measurement to Manage a Local Court System

**Ingo Keilitz**

**National Center for State Courts and CourtMetrics**

**Judicial District Executive Seminar**

**School of Government**

**UNC – Chapel Hill**

**November 1, 2007**

**NCSC**
National Center for State Courts

**CourtMetrics**

# Definition of Court Performance Measurement

Monitoring, analysis and management of results (outcomes or accomplishments) and efficiency on a regular and continuous basis.

# The Story in 7 Chapters How Are We Doing?

1. ***Powerful Ideas Underlying Performance Measurement***

2. Hallmark of High-Performance Organizations: Definition of Court Performance Measurement

3. Requirements of Performance Measurement

4. The Right Measures? How?

5. A Six-Step Design Process

6. Getting the Right Measures to the Right People? How

7. Performance Dashboards Coming Your Way

# Six Powerful Ideas Underlying Effective Performance Measurement

1. ***The world is flat – the end of central planning***

2. Radical transparency and open book management
3. Performance (results) matters most
4. Our business is to satisfy those we say we serve
5. Central tendencies, variation and management control
6. The clear leader and manager – measures are unambiguous and actionable

Guardianship, mental health and probate cases within 90 days. Only 10.7% (3 of 28) cases on time. Line staff know why and have solutions.

**YUMA COUNTY, AZ - Windows Internet Explorer**

http://www.co.yuma.az.us/courts/dashboard.htm

File   Edit   View   Favorites   Tools   Help

Welcome to **YUMA COUNTY**

County Information     Departments     Online Services     News     Employment

**Superior Court**

Clerk of Superior Court - Court Administration - Juvenile Court- Adult Probation - Fees - Perform
Superior Court #1 #2 #3 #4 #5 #6 - Superior Court Commissioner #1 #2

## Superior Court of Arizona in Yuma County Performance     es

Updated June 20, 2007

**Court User Satisfaction** (Measure 1)
Court users' satisfaction with Court services and programs.

| Previous | Current |
|---|---|
| N/A | 88.4% |

[Detail]          [Definitions]          [?]

**Employee Engagement** (Measure 9)
Percent of employees prepared, engaged, and motivated to do the work of the Court.

| Previous | Current |
|---|---|
| N/A | 77% |

[Detail]          [Definitions]          [?]

**Effective Use of Jurors** (Measure 8)
Percent of summoned jurors available to serve and percent actually used.

| Measure | Apr. '07 | May. '07 |
|---|---|---|
| Yield | 53% | 60% |

**Timeliness and Ef     Case Processing**

**On-Time Case Processing** (Measure 3)
Percent of cases resolved in a timely man     within established timeframes.

**Clearance Rates** (Measure 2)
Outgoing cases as a percentage of incoming cases.

| Case Type | Apr | May. '07 | Apr. '07 | May. '07 |
|---|---|---|---|---|
| All | % | 75.9% | 91.6% | 86.4% |
| Criminal | 9.8% | 80.56% | 77.6% | 85.0% |
| Civil | 84.4% | 64.8% | 99.3% | 100.8% |
| Domestic Relations | 71.4% | 70.6% | 66.4% | 59.4% |
| Juvenile | 99.1% | 96.4% | 106% | 94.2% |
| Other | 20.0% | 10.7% | 80.0% | 81.0% |

[Detail]     [Definitions]     [?]          [Detail]     [Definitions]     [?]

**Cost Per Case** (Measure 10)

| FY 04/05 | FY 05/06 |
|---|---|
| N/A | $3,635 |

**Trial Date Certainty** (Measure 5) Percent of Trials held within two settings.

| Measure | Apr. '07 | May. '07 |
|---|---|---|
| Criminal Non-Jury | - | - |
| Criminal Jury | 100% | 75% |

Internet          100%

Start   Inbox - Microsoft Outlook   Microsoft PowerPoint - [...]   YUMA COUNTY, AZ - W...   4:29 PM

# Examples of Court Performance Measures

- On-time case processing*
- User satisfaction*
- Trial date certainty*
- Probation violations
- Number of defendants receiving pretrial services
- Backlog*
- Jury representativeness
- Clearance rate*
- On-time case processing*

*  *Court Tools*

- Median days pre-trial custody
- Average jail population
- Cost per case*
- Employee engagement*
- Timeliness of docketed case event entries
- Crime rate
- Juror utilization*
- Reliability and integrity of case files*

# Six Powerful Ideas Underlying Effective Performance Measurement

1. The world is flat – the end of central planning
2. **Radical transparency and open book management**
3. Performance (results) matters most
4. Our business is to satisfy those we say we serve
5. Central tendencies, variation and management control
6. The clear leader and manager – measures are unambiguous and actionable

# How Much Performance Information Should We Share?

Surprising Answer: Get naked and rule the world with radical transparency.

The story of Glen Kenman, CEO of Redfin, an online real estate brokerage firm (cover story of the April 2007 issue of _Wired_).

# Six Powerful Ideas Underlying Effective Performance Measurement

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2. Radical transparency and open book management

### 3. *Performance (results) matters most*

4. Our business is to satisfy those we say we serve
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# Shifts and Changes 1987 - 2007

People who run the courts (the insiders) → People who are served by the courts

**Stuff and activity** → **The results we get**

Independence (isolation) → Interdependence (community)

No methods and tools (How are we doing?) → *Court Performance Standards* and *CourTools*

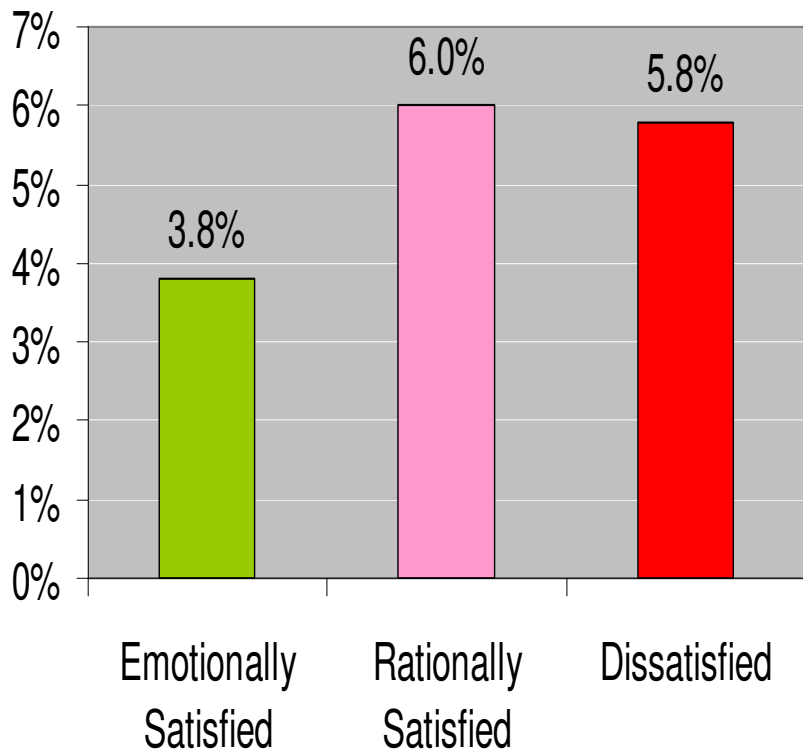# Six Powerful Ideas Underlying Effective Performance Measurement

1. The world is flat – the end of central planning
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## 4. Our business is to satisfy those we say we serve

5. Central tendencies, variation and management control
6. The clear leader and manager – measures are unambiguous and actionable

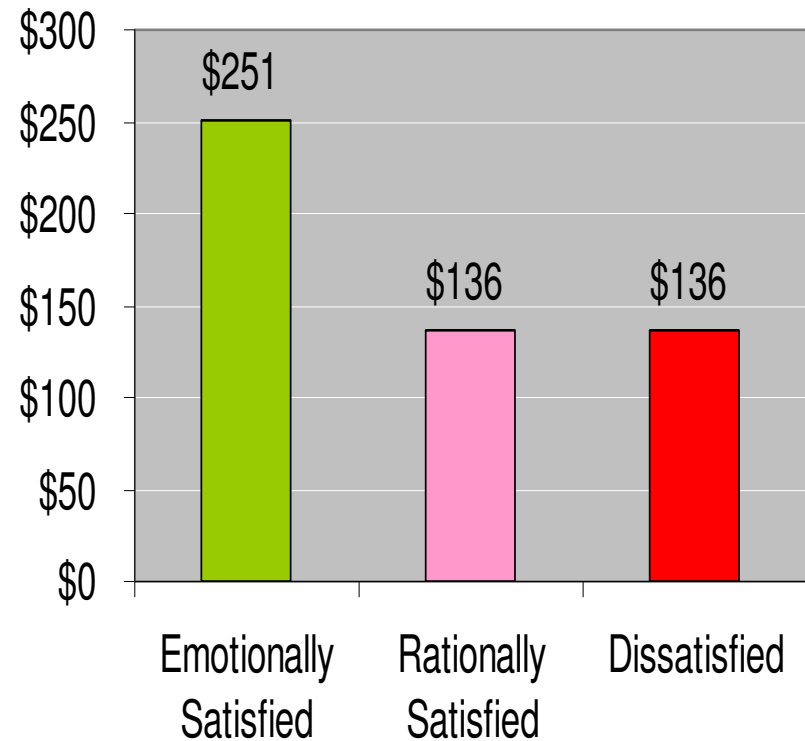# What Do People Want From Us? What Matters to Them?

- Opportunity to participate and give input, access and meaningful participation

- Treatment with dignity and respect

- Neutral procedures – unbiased, based on facts, consistent application of rules

- Consideration of needs and concerns, honest communications

- Emotional satisfaction

**Attrition Rates of Bank Customers (account closures per six months)**

- Emotionally Satisfied: 3.8%
- Rationally Satisfied: 6.0%
- Dissatisfied: 5.8%

**Average Monthly Spending by Credit Card Customers**

- Emotionally Satisfied: $251
- Rationally Satisfied: $136
- Dissatisfied: $136

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# Six Powerful Ideas Underlying Effective Performance Measurement

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6. The clear leader and manager – measures are unambiguous and actionable

# The Encounter Must Be Measured, Controlled and Managed "Locally"

- There is always variation around average.
- The average tells you little about how you can improve.
- Variability should be controlled and managed.
- No control of variation suggests absence of management .

# Six Powerful Ideas Underlying Effective Performance Measurement

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6. *The clear leader and manager – measures are unambiguous and actionable*

# The Clear Leader

Incentives and Tools: Focused, Clear and Actionable
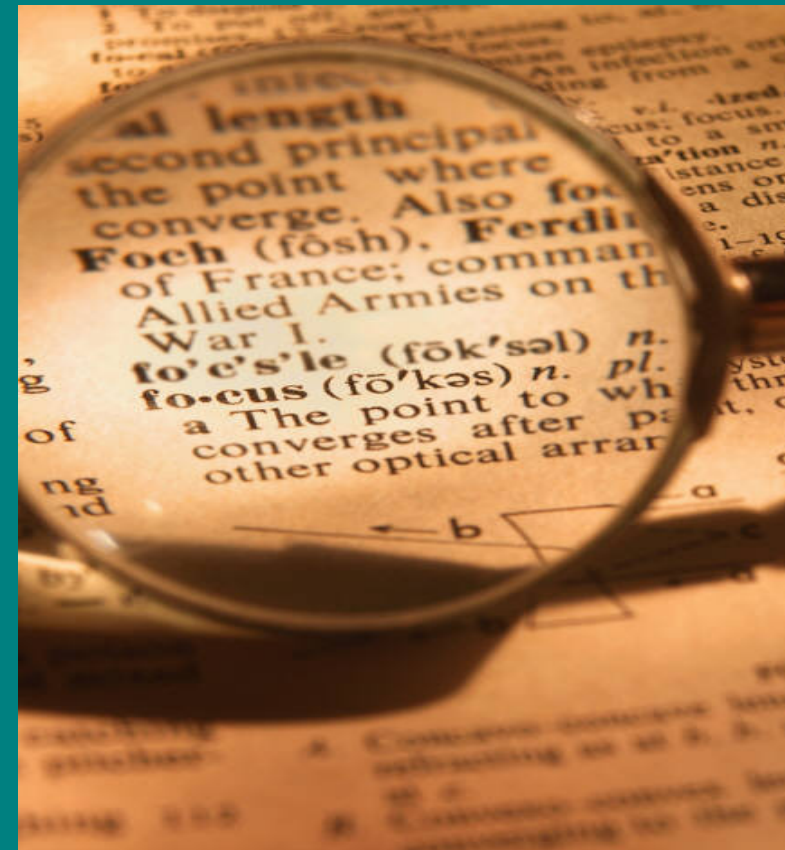
# The Story in 7 Chapters How Are We Doing?

# How Are We Doing?

- **Baseline -** Where are we now?
- **Trend -**How are we doing over time?
- **Analysis and Diagnosis -** Why is this happening?
- **Planning -** What are we doing to adapt, improve or maintain?
- **Strategy -** What should be done to improve poor performance, reverse a declining trend, or recognize good performance?
- **Goals -** What performance targets and goals should we set for future performance?

# Performance Intelligence

- The capacity and political will to ask and learn from asking "How are we doing?"
- To envision new realities, opportunities and necessities
- To convert that vision into effective strategies

# Keys to an Effective
# Performance Measurement System

**Right Measures** –Business architecture. Identify and those performance measures that will help to achieve desired results.

**Right Delivery-** Technology architecture; dashboards. Make sure the performance measures are available to the right people, at the right time, in the right place and in the right way.

**Right Action** – Business and technology architecture. Integrating the measures with key management processes and operations.

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1. Powerful Ideas Underlying Performance Measurement
2. Hallmark of High-Performance Organizations: Definition of Court Performance Measurement
3. Requirements of Performance Measurement
4. *The Right Measures?*
5. A Six-Step Design Process
6. Getting the Right Measures to the Right People? How
7. Performance Dashboards Coming Your Way

# Examples of Court P... Measures

**Linked to key success factor**

- On-time case processing
- User satisfaction
- Trial date certainty
- Probation violations
- Number of defendants receiving pretrial services
- Backlog
- Clearance rate
- Jury representativeness
- Clearance rate
- Compliance with monetary penalties

- Median days pre-trial custody
- Average jail population
- Cost per case
- Employee engagement
- Timeliness of docketed case event entries
- Crime rate
- Juror utilization
- Reliability and integrity of case files

**Outcome oriented**

**Driver of success**
**Balanced scorecard**
**Clarity**
**Emblem or symbol**

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# Six-Step Process for Building an Effective Court Performance Measurement System

Step 1 - Inventory of measures currently used

Step 2 - Identification and definition the desired measures

Step 3 - Developing hierarchies or families of measures

Step 4 - Testing, demonstrating, and developing measures

Step 5 - Creating data collection and distribution methods

Step 6 - Designing useful performance dashboards or scorecards

# Step 1…

1. *Catalogue*
2. *Categorize*
3. *Assess Coverage and Alignment*

**Step 1**  **Assess measures currently used**

**Step 2**  **Identify desired measures**

**Step 3**  **Create levels (hierarchies) of measures**

**Step 4**  **Test, demonstrate and develop measures**

**Step 5**  **Develop collection and distribution methods**

**Step 6**  **Develop useful measurement display systems**

**Inventory of Performance Measures Currently Used by the Twentieth Judicial Circuit – _Administrative Office of the Courts (AOC)_ last revised June 15, 2007**

| Short Name | Definition and Purpose | Success Factor and Measure Type | Data Source(s), Extraction Methods, and Reporting | Notes |
|---|---|---|---|---|
| 1. Clearance rate | Number of outgoing (disposed, resolved) cases as a percentage of incoming (filed, reopened, reactivated) cases, by major case type and sub-type, location. | Strategic output – outcome measure of expedition and efficiency. Breakouts serve as tactical (managerial) and operational – level measures. | | Complements other measures of case processing including on-time case processing (time to disposition), trial date certainty and backlog (age of pending caseload). |
| 2. On-time case processing (time to disposition) | Percentage of cases disposed or otherwise resolved within established guidelines, by major case type, case sub-type, location, and time-period from filing to disposition. | Strategic output – outcome measures of expedition, timeliness and efficiency. Breakouts serve as tactical (managerial) and operational – level measures. | | Complements other measures of case processing including clearance rate, trial date certainty, and age of pending caseload. Mean and median days of pre-sentence custody may be measures shared with other agencies. |
| 3. Pending caseload backlog | The percentage of active pending cases (cases filed but not yet disposed) that exceed the on-time case processing guidelines, by major case type and sub-type, location. | Strategic output – outcome measures of expedition, timeliness and efficiency. Breakouts serve as tactical (managerial) and operational – level measures. | | Complements other measures of case processing including clearance rate, trial date certainty, and on-time case processing. |

# Step 2…

**Step 1**       Assess measures currently used

**Step 2    Identify desired measures**

**Step 3**       Create levels (hierarchies) of measures

**Step 4**       Test, demonstrate and develop measures

**Step 5**       Develop collection and distribution methods

**Step 6**       Develop useful measurement display systems

**Task 1    Identify key performance areas**

**Task 2    Determine types of measures**

**Task 3    Identify specific measures**

**Task 4    Define the measures**

# Step 6…

**Step 1**    **Assess measures currently used**

**Step 2**    **Identify desired measures**

**Step 3**    **Create levels (hierarchies) of measures**

**Step 4**    **Test, demonstrate and develop measures**

**Step 5**    **Develop collection and distribution methods**

**Step 6**    **Develop useful measurement display systems**

*Design, build, test and*

*install the display*

*system*

# The Story in 7 Chapters

1. Powerful Ideas Underlying Performance Measurement
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4. The Right Measures? How?
5. A Six-Step Design Process
6. **_Getting the Right Measures to the Right People?  How?_**
7. Performance Dashboards Coming Your Way

# The Story in  7 Chapters <span style="font-size: smaller">**How Are We Doing?**</span>

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## 7. *Performance Dashboards Coming Your Way*

# Performance Dashboards

Performance dashboards are computer-based displays that let busy managers view performance measures at a glance, and then move easily through successive levels of strategic, tactical and operational performance information to get the insight they need to solve problems and to improve program and services.
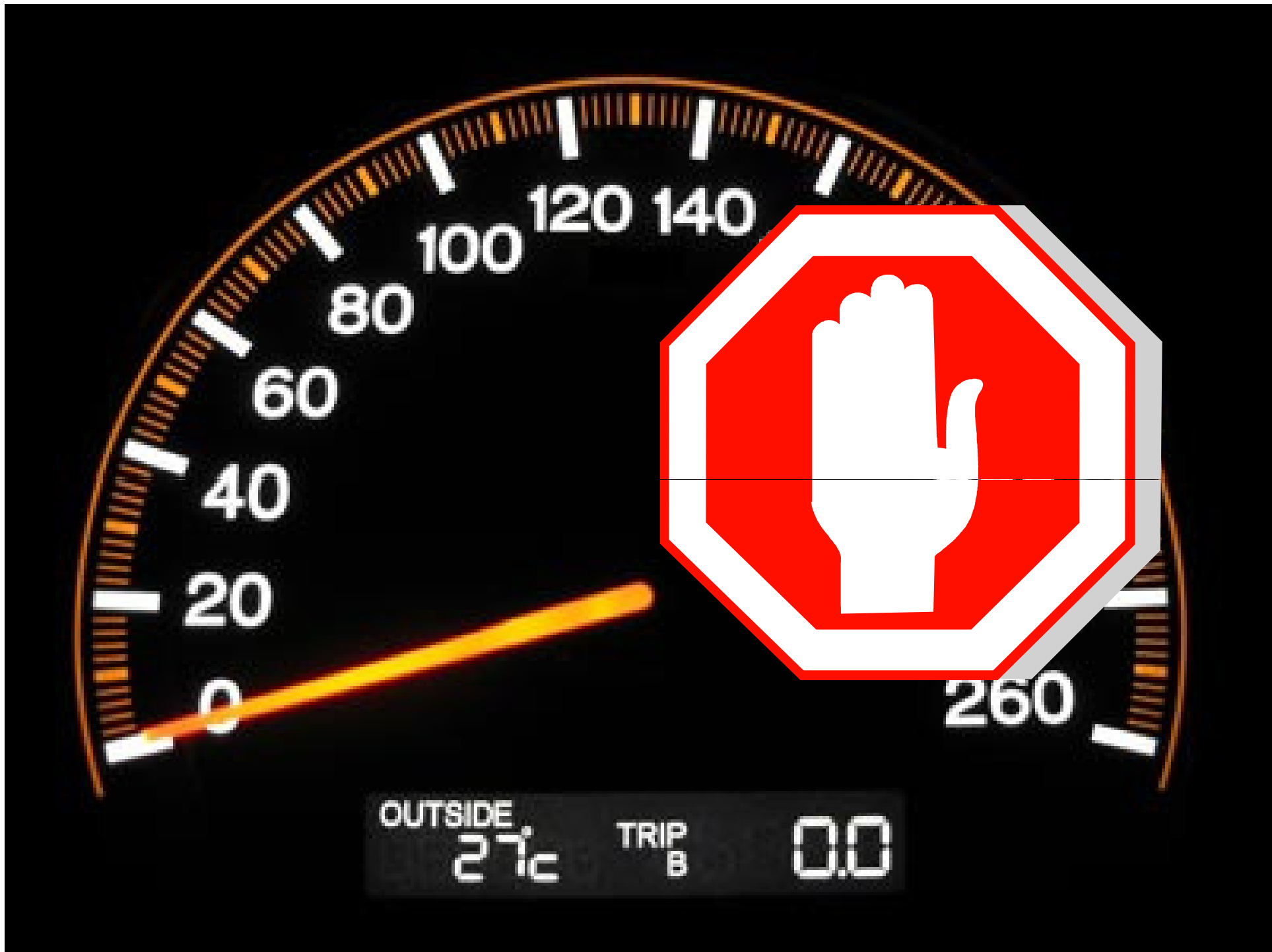
# Ironside Title Insurance

**Summary**   Headcount   Terminations   Diversity   Compensation

## Corporate Headcount

30,000

20,000

10,000

0
20,153  19,227
Q1   Q2   Q3   Q4

■ Total 2005   ■ Total 2004

## Corporate New Hires

2,000

1,000

0
1,486  1,363
Q1   Q2   Q3   Q4

■ Total 2005   ■ Total 2004

## Corporate Terminations 2005 vs 2004

2,000

1,000

0
2005 2004  2005 2004  2005 2004  2005 2004
Q1          Q2          Q3          Q4

■ Voluntary   ■ Involuntary

## Corporate Diversity By Ethnicity

■ African American
■ Asian
□ Hispanic
■ Native American
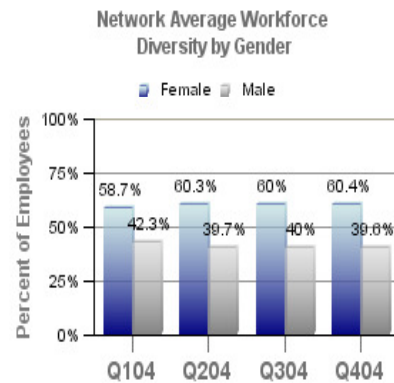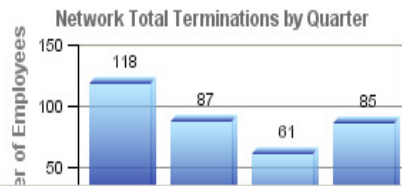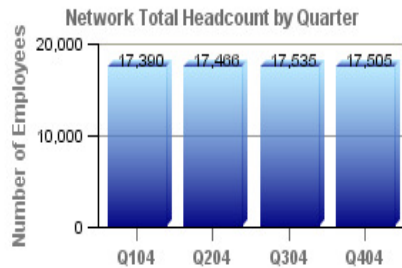■ White/Non Hispanic
□ Other

## Average Salary By Division

$150,000

$100,000

$50,000

HQ   Northeast   Midwest   South   West

Visual Mining Healthcare Vertical - Microsoft Internet Explorer

File  Edit  View  Favorites  Tools  Help

Back    Search   Favorites

Address  http://demo.visualmining.com/projects/HealthcareVertical/index.jsp   Go   Links »

Google  G▼   Go   Bookmarks▼   13 blocked   Check ▼   AutoLink ▼   AutoFill   Send to▼   Settings▼

Y!  ▼   Search Web   Mail ▼   Shopping ▼   My Yahoo! ▼   Answers ▼   Games ▼   Music ▼   My Web ▼   Personals ▼   Sign In ▼

**City** Hospital Group

HR Analysis | Gross Margins | Billing Analysis | ALOS | MI Practice | Appointments | Case Volume

### Network Total Headcount by Quarter

| Quarter | Number of Employees |
|---|---|
| Q104 | 17,390 |
| Q204 | 17,466 |
| Q304 | 17,535 |
| Q404 | 17,505 |

### Network Total New Hires by Quarter

| Quarter | Number of Employees |
|---|---|
| Q104 | 124 |
| Q204 | 100 |
| Q304 | 69 |
| Q404 | 29 |

### Network Total Terminations by Quarter

| Quarter | Number of Employees |
|---|---|
| Q104 | 118 |
| Q204 | 87 |
| Q304 | 61 |
| Q404 | 85 |

### Network Average Workforce Diversity by Gender

Female / Male

| Quarter | Female | Male |
|---|---|---|
| Q104 | 58.7% | 42.3% |
| Q204 | 60.3% | 39.7% |
| Q304 | 60% | 40% |
| Q404 | 60.4% | 39.6% |

| | Q104 | Q204 | Q304 | Q404 |
|---|---|---|---|---|
| Childrens | 63.2% | 62.4% | 63% | 63.6% |
| | 36.8% | 37.6% | 37% | 36.4% |
| City | 55.3% | 54.3% | 54% | 54.6% |
| | 54.7% | 55.7% | 56% | 55.4% |
| Mercy | 60.6% | 62.6% | 62.2% | 62% |
| | 39.4% | 37.4% | 37.8% | 38% |
| University | 39.6% | 39.2% | 39.2% | 39.4% |
| | 60.4% | 60.8% | 61.8% | 61.6% |
| Avg | 58.7% | 60.3% | 60% | 60.4% |
| | 42.3% | 39.7% | 40% | 39.6% |

### Network Average Workforce Diversity by Minority

Minority / Non Minority

| Quarter | Minority | Non Minority |
|---|---|---|
| Q104 | 37.2% | 62.8% |
| Q204 | 37.6% | 62.4% |
| Q304 | 38% | 62% |
| Q404 | 38% | 62% |

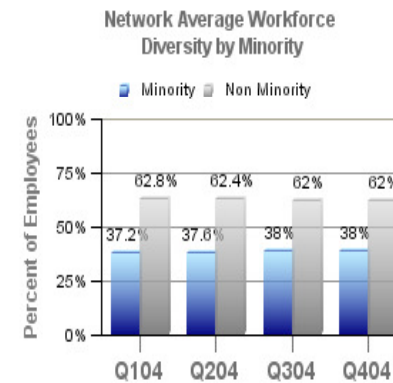| | Q104 | Q204 | Q304 | Q404 |
|---|---|---|---|---|
| Childrens | 37.3% | 37.6% | 38% | 38% |
| | 62.7% | 62.4% | 62% | 62% |
| City | 47.3% | 47.6% | 48% | 48% |
| | 52.7% | 52.4% | 52% | 52% |
| Mercy | 33.3% | 33.6% | 34% | 34% |
| | 62.7% | 66.4% | 66% | 66% |
| University | 43.3% | 44.6% | 44% | 44.2% |
| | 56.7% | 55.4% | 56% | 55.8% |
| Avg | 37.2% | 37.6% | 38% | 38% |
| | 62.8% | 62.4% | 62% | 62% |

Internet

Start | Inbox - Microsoft ... | Inbox - Microsoft O... | Follow-up to your r... | Executive Dashboa... | Visual Mining He... | C:\Documents and ... | Microsoft PowerPoi... | 2:19 PM

UTAH STATE COURTS
UTCOURTS.GOV

CourTools Home

Access and Fairness in the Courts | Integrity of Court Records | Public Trust and Confidence in the Courts | Time to Disposition of Cases

Age of Active Pending Cases | Caseload Clearance Rates | Collection of Restitution, Fines, and Fees | Court Employee Satisfaction

**FY 07**

**FY 06**

**Location**

Statewide Total
District 1 Total
Brigham City
Logan
Randolph
District 2 Total
Ogden
Morgan
Layton
Farmington
Bountiful
District 3 Total
Salt Lake City
West Jordan
Tooele
Silver Summit
District 4 Total
American Fork
Orem
Provo
Spanish Fork
Heber
Fillmore
Nephi



**Accounts Receivable District FY 07**
Courts Required to Transfer to OSDC at 91 Days

Case Detail Available through CORIS
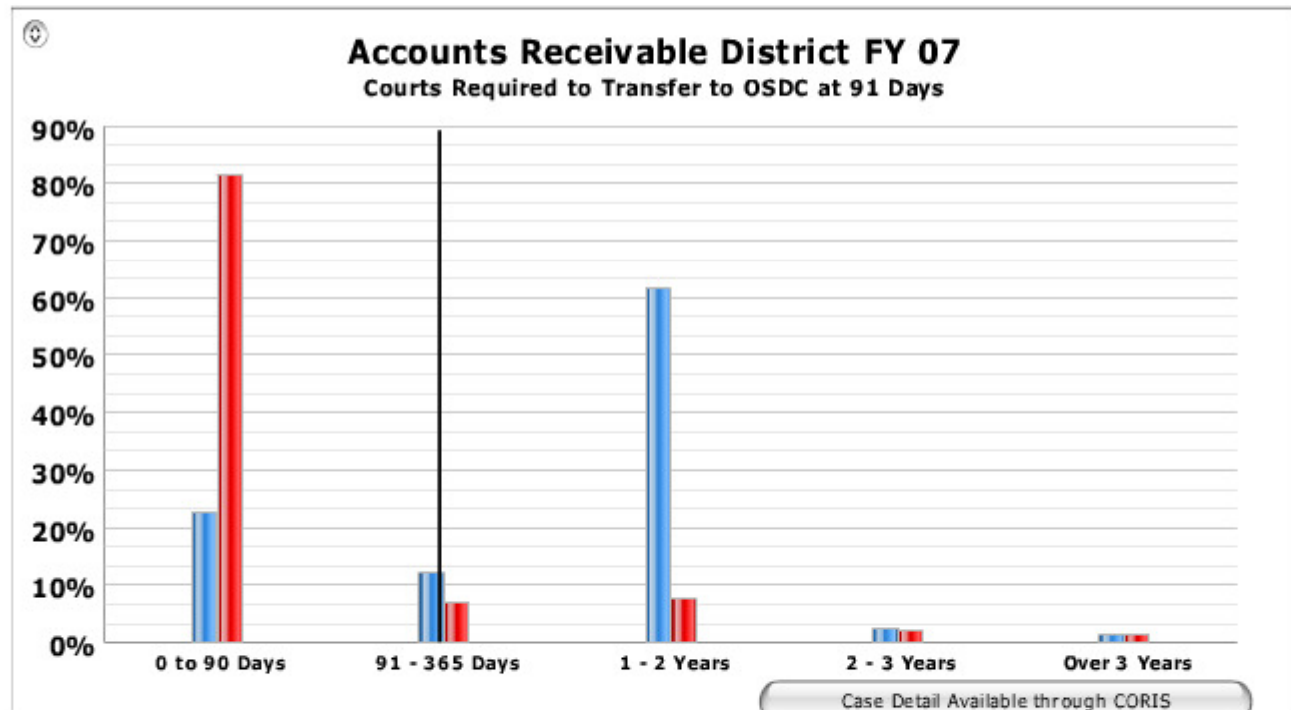
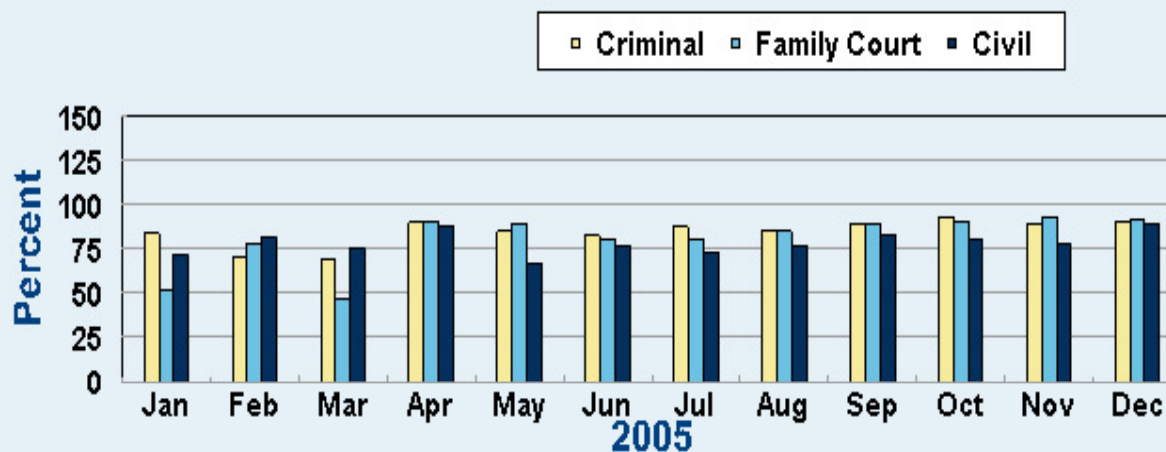| | Courts Responsibility | OSDC Responsibility | | | |
|---|---|---|---|---|---|
| | 0-90 Days | 91 - 365 Days | 1 - 2 Years | 2 - 3 Years | Over 3 Years |
| September 30, 2006 | $9,398,430 | $5,067,991 | $25,624,875 | $996,370 | $572,373 |
| December 31, 2006 | $37,025,409 | $3,224,731 | $3,505,426 | $994,697 | $646,314 |
| March 31, 2007 | | | | | |
| June 30, 2007 | | | | | |

iCIS

■■■ CourTools

⚒ Tasks   ? Help

**Long Term Trends:**

| Access | Clearance | Disposition | Active Pending | Certainty | Reliability | Collection | Jurors | Employee | Cost |
|---|---|---|---|---|---|---|---|---|---|
| ▲ | ▲ | ▶ | ▲ | ▼ | ▲ | ▶ | ▼ | ▲ | ▲ |

## Performance Measures

| # | Measure | Trend Delta | |
|---|---|---|---|
| 1. | Access Fairness | ▲ | 3.4 to 4.1 |
| 2. | Clearance Rates | ▼ | 92% to 91% |
| 3. | Time to Disposition | ▲ | 92% to 88% |
| 4. | Age of Active Pending Case Load | ▲ | 112% to 105% |
| 5. | Trial Date Certainty | ▼ | 78% to 75% |
| 6. | Reliability and Integrity of Case Files | ▲ | 89% to 92% |
| 7. | Collection of Monetary Penalties | ▶ | 57% to 57% |
| 8 | Effective Use of Jurors | ▲ | 4.3 to 4.4 |
| 9. | Employee Opinion | ▲ | 3.0 to 3.4 |
| 10. | Cost per Case | ▼ | $108 to $112 |

## Measure 2 - Clearance Rates

□ Criminal   □ Family Court   ■ Civil

Percent

150
125
100
75
50
25
0

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

**2005**

## CourTools Additional Info

## Measure Options

| Criminal | Family Court | Civil |
|---|---|---|
| ▲ 91% | ▼ 92% | ▲ 89% |

■ Refresh ■   PM Mission   PM Criteria   PM Notes

➕ FS ➖

## SUPERIOR COURT OF ARIZONA IN YUMA COUNTY
### Performance Measures  Updated March 15, 2007

### Court User Satisfaction *Court users' satisfaction with Court services and programs.*

| Previous Quarter | Current Quarter |
|---|---|
| N/A | 88.4% |

Detail    Definitions    ?

### Employee Engagement *Percent of employees prepared, engaged, and motivated to do the work of the Court.*

| Previous Quarter | Current Quarter |
|---|---|
| N/A | 77% |

Detail    Definitions    ?

### Effective Use of Jurors *Percent of summoned jurors available to serve and percent actually used.*

| Measure | Dec '06 | Jan '07 |
|---|---|---|
| Yield | 60% | 66% |
| Use | 26% | 72% |

Detail    Definitions    ?

### Timeliness and Efficiency of Case Processing

### On-Time Case Processing
*Percent of cases resolved in a timely manner, i.e., within established timeframes.*

### Clearance Rate
*Outgoing cases as a percentage of incoming cases.*

| Case Type | Jan '07 | Feb '07 | Dec '06 | Jan '07 |
|---|---|---|---|---|
| All | 72.7 % | 72.0 % | 94.2% | 93.9% |
| Criminal | 76.7 % | 73.9 % | 95.0% | 72.1% |
| Civil | 84.8 % | 65.7 % | 104.6% | 90.8% |
| Domestic Relations | 50.60 % | 68.9 % | 102.7% | 102.7% |
| Juvenile | 93.8 % | 96.9 % | 89.2% | 99.1% |
| Other | 3.1% | 0.0 % | 73.7% | 100.0% |

Detail    Definitions    ?          Detail    Definitions    ?

### Cost Per Case

| FY 04/05 | FY 05/06 |
|---|---|
| N/A | $3,635 |

Detail

Definitions

?

SJI State Justice Institute

# How Are We Doing? Using Performance Measurement to Manage a Local Court System

## Ingo Keilitz
**National Center for State Courts and CourtMetrics**

**THANK YOU FOR LISTENING!**

**Judicial District Executi**

**School of Government**

**UNC – Chapel Hill**

**November 1, 2007**

NCSC — National Center for State Courts

CourtMetrics