**INDIVIDUAL CASEFLOW MANAGEMENT SELF-ASSESSMENT**

**PURPOSE**

The purpose of this activity is to give you the opportunity to look at your court’s strengths and weaknesses in caseflow management, reflecting the understanding of caseflow management principles you have gained in the course thus far. Then, based on your assessment of individual strengths and weaknesses, you can consider your court’s areas of greatest strength, and those areas where some change might be beneficial.

**DIRECTIONS**

* Read the statements below and on the following pages. For each statement, think about where your court falls on the scale provided, and circle the number that reflects your rating of your court. If you are uncertain, provide your best guess.
* When you have completed the rating for all of the statements, calculate your score in key areas, following the directions on the SCORING SHEET that follows the statements.
* Then plot your scores from the SCORING SHEET on the ASSESSEMENT RESULTS graph that follows the SCORING SHEET.

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| 1. | The chief judge or another key judge plays a leading role in initiating caseflow management improvements in this court. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **rarely** |  | **occasionally** |  | **usually** |

|  |  |  |  |  |  |
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| 2. | In our court there is a philosophy that the court should control case progress. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **absent** |  | **weak** |  | **strong** |

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| 3. | The court has adopted explicit time standards or guidelines for case disposition. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no standards** |  | **informal guidelines** |  | **time standards exist** |

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| 4. | The courts’ mechanism for consulting the bar about caseflow problems or proposed changes is: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **there is none** | **discussion when requested by bar** | **informal contact** | **occasionally initiated by court** | **structured consultation is standard practice** |

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| 5. | Consultation with attorneys by a judge or staff member occurs early in a case to set deadlines for completion of major case events. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no** | **if requested by lawyer** | **in some cases** | **complex cases only** | **in all but the most minor cases** |

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| 6. | When new caseflow programs or procedures are being considered, the court’s leaders consult with leaders of agencies that may be affected. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no** | **rarely** | **by information copy of proposal** | **if they are interested** | **standard policy** |

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| 7. | There are published rules governing the caseflow process to which the court and bar may refer. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no published policies** |  | **exists for some areas** |  | **yes, govern all major caseflow issues/areas** |

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| 8. | These policies are followed/enforced. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **rarely** |  | **occasionally** |  | **consistently** |

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| 9. | Judges’ commitment to effective caseflow management is demonstrated by their actions in holding lawyers to schedules and limiting continuances to short intervals for good cause only. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **generally, no** |  | **inconsistent** |  | **generally, yes** |

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| 10. | Judges with administrative responsibility meet with the judges in their division to review the status of the caseload. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** | **rarely** | **when a problem surfaces** | **occasionally** | **on a regular basis** |

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| 11. | Consultation between judges and court administration and staff about the caseflow system occurs. | | | | |
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|  | **1** | **2** | **3** | **4** | **5** |
|  | **rarely** |  | **only when a problem occurs** |  | **regularly** |

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| 12. | Judges who have responsibility for all or part of the caseload receive management reports about such things as the number and age of pending cases, the status of pending cases and the age of cases at disposition. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **not available** |  | **if they request it** |  | **regularly** |

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| 13. | The court supervises case progress from filing to final disposition. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **leave it to the attorneys** | **when requested** | **only for case problems** | **in most cases** | **all cases have future action dates assigned** |

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| 14. | The courts’ staff at all levels are aware of the courts goals with respect to caseflow management. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **there are no goals** |  | **some are aware** | **top stall only** | **yes** |

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| 15. | The court begins to exercise supervision of case progress at the time of filing. | | | | |
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|  | **1** | **2** | **3** | **4** | **5** |
|  | **no, rely on attorneys to monitor each other** | **in problem cases** | **in complex cases** | **in most cases** | **in all cases** |

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| 16. | The court has goals concerning the frequency with which trials should occur on the first scheduled date. | | | | |
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|  | **1** | **2** | **3** | **4** | **5** |
|  | **no stated goals** |  | **informal standards** |  | **yes, explicit goals** |

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| 17. | The chief judge is widely regarded by the bar, the judges, court staff – as strongly committed to effective caseflow management to minimize delays. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no, just the reverse** | **by some** | **within the court but not by the bar** | **generally, yes** | **positively** |

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| 18. | When scheduled trials/hearings must be continued, it is to a certain date. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** | **rarely** | **sometimes** | **usually** | **always** |

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| 19. | Information about the current status, history, and related cases is available for use in case management. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **only from case files** |  | **by special request** | **readily available on request** | **provided routinely** |

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| 20. | Judges whose pending inventories and times to disposition do not meet court goals are informed of the discrepancy. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **we do not collect this information** | **rarely** | **sometimes** | **by monthly stat. report** | **by court leaders as a matter of court policy** |

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| 21. | The condition of the court’s pending caseload is: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **do not know** | **many cases are older than the court’s (or aba) time standard re: max. disp. time** | **about 30% older** | **about 1—15% are older** | **few cases are older than the standard for max. disp. time** |

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| 22. | Overall, case progress and the timelessness of case disposition are | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **controlled by the bar** | **not really under control** | **controlled for if requested by counsel** | **sometimes controlled by the court** | **generally controlled by the court** |

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| 23. | The system of planning of a scheduling trial and motion calendars provides attorneys certainty of a case being reached on the schedule date: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **rarely** | **less than half the time** | **about 50% of the time** | **better than half the time** | **95-100% of the time** |

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| 24. | The court uses the following: | | | | |
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|  | Mediation: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** |  | **occasionally** |  | **frequently** |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Arbitration: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** |  | **occasionally** |  | **frequently** |

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|  | Other form of Alternative Dispute Resolutions: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** |  | **occasionally** |  | **frequently** |

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| 25. | Mechanisms exist for consulting the bar concerning problems or proposed changes in the caseflow system: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no mechanisms; rare consultation** | **no mechanisms occasional informal consult** | **consultation as needed, requested by bar** | **formal mechanisms; occasional consultations** | **formal mechanisms frequent consultations** |

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| 26. | Judges and court staff review the age and status of the pending caseload. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** | **rarely** | **occasionally** | **as time permits** | **regularly as part of our management plan** |

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| 27. | The statistics and information system: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **detracts from effective caseflow** | **not particularly useful** | **has some helpful features** | **is helpful** | **greatly facilitates effective caseflow** |

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| 28. | The judges and staff review the extent to which goals are met: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** | **rarely** | **annually** | **occasionally** | **often** |

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| 29. | Attorneys are ready to proceed on the scheduled date: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **rarely** | **less than half the time** | **about 50% of the time** | **better than half the time** | **95-100% of the time** |

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| 30. | Consultation between judges and staff concerning caseflow management problems occurs: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **substantially less often than necessary/desirable** |  |  |  | **as often as necessary/desirable** |

|  |  |
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| 31. | The following case management information is readily available and regularly used in our court: (Y – yes; N = no) |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| AVAILABLE |  | USED |  | INFORMATION |
|  |  |  |  | Number of pending cases by case type |
|  |  |  |  | Age of pending cases (in age categories) |
|  |  |  |  | Change in the above measures since last report and/or since last year |
|  |  |  |  | Age of pending caseload compared to time standards |
|  |  |  |  | Median age of cases at disposition or range of ages |
|  |  |  |  | Disposition pattern (fall out) of our caseload |
|  |  |  |  | % of trials starting on first assigned trial date |
|  |  |  |  | Number of continuances in each case |
|  |  |  |  | Reason for each continuance |
|  |  |  |  | Who requested continuances in each case |
|  |  |  |  | Other (specify) |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| To score this question, add the number of Y’s in the *AVAILABLE* and *USED* columns and divide total by 4.  RESULT: \_\_\_\_\_\_\_\_\_ | | | | |

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| 32. | There are explicit time standards/guidelines governing the intervals between each major event in the caseflow: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no** |  | **not sure** |  | **yes** |

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| 33. | Potentially protracted or complicated cases are identified early for special attention. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no** | **only if attorneys bring them to court attention** | **if they happen to come to the attention of staff or judge** |  | **yes, a specific procedure exists for early identification** |

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| 34. | The information/recordkeeping system facilitates monitoring the progress of each case: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **not at all** |  | **somewhat** |  | **very well** |

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| 35. | Techniques for avoiding or minimizing attorney schedule conflicts are part of the scheduling system and attorneys’ schedules are accommodated to the extent reasonably possible: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **needs improvement** |  |  |  | **needs no improvement** |

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| 36. | Court policies/problems regarding continuances are: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **policies do not exist in this division** | **never discussed at judges’ meeting or staff meetings** | **sometimes discussed** |  | **frequently discussed at judges or staff meetings** |

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| 37. | Discussions among judges and administrators concerning caseflow management procedures occur: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **substantially less often as necessary** |  | **infrequently** |  | **as often as needed** |

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| 38. | There are goals or guidelines governing other aspects of caseflow such an number of pending cases, number of continuances, etc. | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **none** |  | **some informal** |  | **yes, we have performance standards** |

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| --- | --- | --- | --- | --- | --- |
| 39. | Generally, these policies are followed/enforced: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **rarely** |  | **occasionally** |  | **consistently** |

|  |  |  |  |  |  |
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| 40. | The staff/judges use this system to monitor the progress of each case; cases may not lie dormant: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no** |  | **when time permits** |  | **yes** |

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| 41. | The ease of attorneys obtaining a continuance of a hearing or trial date: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **easily obtained upon request/stipulation** |  | **attorneys must show cause, but no written requests** |  | **strict policy requiring written request/motion and showing substantial cause** |

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| 42. | Simple cases which might be disposed of early are identified for special processing: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** | **rarely** | **only at the request of counsel** |  | **routinely** |

|  |  |  |  |  |  |
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| 43. | When a case must be continued, the new date assigned falls within approximately the next: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **over one year** | **6 mos.-year** | **3-6 mos.** | **1-3 mos.** | **2-4 weeks** |

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| 44. | How often are scheduled cases continued because there are more ready cases that the judge can reach in the time available: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **never** | **rarely** | **occasionally** | **frequently** | **regularly** |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 45. | There are explicit time standards/guidelines for case disposition: | | | | |
|  |  | | | | |
|  | **1** | **2** | **3** | **4** | **5** |
|  | **no** |  | **not sure** |  | **yes** |