

Case Tracking System

Introduction

A case tracking system (often called an aging report) is part of a larger case management process, which in turn supports the court system's case adjudication process. Its purpose is to help court executives keep case processing on track by identifying delays in individual cases and bringing to light major bottlenecks in the system; it can be put into place in a manual, semi-automated, or highly automated court. It is not designed to provide information about the quality of the adjudication outcome of a case.

The case tracking system we are proposing is basically a big spread sheet that contains information about (1) the status of each individual case in the court and (2) if cases are exceeding the acceptable time limits for selected steps in the "life" of the case. Microsoft Excel is a software spreadsheet program that can be used to facilitate this effort. Microsoft Access is effective data base management software that can be used. By facilitating the comparison of the actual results to the target time limits, the program lets court managers know whether a case is progressing satisfactorily or whether it is falling behind schedule.

Four elements are crucial to implementing and maintaining a successful case tracking system. The first is the support of the judges and the court executives. Initially, the Registrar and judges will join as a "working group" to establish the system and identify the critical junctures that need to be tracked. The second is an accurate and consistent recordkeeping system that provides the information for the tracking system; the recordkeeping system does not need to be elaborate. The third is a body of historical data on case disposal times, which will be gathered over time and is needed to establish reasonable targets and to distinguish transitory phenomena from trends. The fourth key component is that the courts must have trained employees to collect the data and run the system.

Necessary steps to create the tracking system

Identify key steps in case management. A case tracking system need not be overly complex. Its centerpiece will be a set of steps that are critical milestones in tracking a case. One of the most effective ways to identify the key elements is upon review of the pre-test data (discussed below). This process helps isolate those key steps. The court should be open to re-examining the key elements that are first identified, and be willing to substitute them for others when it becomes evident that they are more appropriate. For example, in the United States, courts typically monitor the timeliness of cases that are ripe for the next step in the adjudication process or deadlines the court has imposed (typically upon attorneys) has passed. In the Nepalese courts, the individuals involved in developing the system—the “working group”—should identify those critical steps at the outset of the development process, while bearing in mind that the list should be kept to a minimum—perhaps 6 to 8 steps or fewer. Too much information can get in the way of clearly seeing what is happening.

The working group must also determine whether a common set of steps and time limits can be used for all the court’s cases, or whether cases need to be divided into several broad groups, each of which would have its own set of steps and time limits.

Establish an acceptable time limit for each step. Some of the time limits are set by statute, while others are set by the judges. If there are steps where the court administrators have discretion over the timing, they should specify times that are consistent with—or maybe a little more ambitious than—current norms, but are realistic enough to be met in the absence of major snags; at first, these time limits will be mainly “educated guesses,” but they can be refined over time to reflect actual experience.

Examples of some steps and time limits that might be used are listed below. In this illustration, the main entries are the number of days from the preceding event; the figures in parentheses represent the total elapsed time since the start of the case. The key to the

system is to have established time limits and to respond when they are not met. The nature of some cases, even those with the same charge is the some, might take widely variant times. A common example, are cases with multiple defendants. It is often helpful to distinguish multi-defendant cases from those with a single defendant.

	Case Opening	Initial Hearing	Bail Hearing	Prepare Doc Request	Send Doc Request
Days	+0	+2 (2 total)	+4 (6 total)	+10 (16 total)	+2 (18 total)

Identify sources of information to support the case tracking system. In general, the information for the case tracking system will come from case files, which should make the data relatively easy to retrieve and check for accuracy. The court may also want to include information from external sources (such as police or prison records), but it should make sure that those data can be obtained on a timely basis and can be easily validated.

Devise a system for collecting the data. This task will include the development of procedures and assignment of responsibility for entering the data into the spread sheet.¹ If necessary, design a data-collection instrument. The person responsible for this function must be identified and trained; additionally a trained “back-up” must be ready to step in when the primary individual is not available.

Put together the spread sheet. The purpose of the spread sheet is to inform the reader. Clarity is the key; it must be easier for the reader to identify the important points, which cases are stalled. The important points are not easy for the reader to see, the tool will not be used. The spread sheet must be easy to use by the record keeper. The more difficult, the more likely errors will occur during data entry.

Pre-test the system. The pre-test will show whether the program is working properly. It will also allow the work group and managers to review the information acquired and balance it against the amount of effort expended to collect it. They may learn that some

¹ If the court eventually moves to an automated case management system, the data will be retrieved automatically from other files. Until that time, they must be entered by hand.

of the specified information is not readily available or that the collection costs are too high for the quality of the data collected; if so, certain data points may be dropped from the spread sheet or replaced with others. The pre-test will also give managers a preview of the big picture and will highlight ways to improve the court's recordkeeping system.

Design a report format. The format should be straight-forward, easy to read, and draw the attention of the reader (presumably a judge or court executive) to cases that have fallen behind court's standards. A sample case tracking report is Attachment 1. The report format should be designed to meet the court's particular needs. Over time, it will probably have to be revised.

Integrate the case tracking system into the management and decision-making processes of the court. The main users of the new system will be the court's registrar and other executives, who will review the reports on a regular basis to spot both systemic bottlenecks and problems with individual cases. They should then share the results with the judges; in particular, they should notify them of cases that are falling far behind the established time limits and, if so, whether the tardiness is traceable to the court staff, outside attorneys, or the judges themselves. At the same time, the judges must be educated about the value of the case tracking system and encouraged to let the administrators know that they support it and will use it regularly. The judges must also let attorneys know that they have this tool and will monitor parties' timely response to the orders of the court.

Summary

A well-designed case tracking system can be very useful in helping a court adjudicate cases more efficiently. It is a cost-effective way to collect reliable management information and can be used in a manual, semi-automated, or fully automated court. If used consistently, it allows court managers to spot individual cases that have become delayed and to identify systemic bottlenecks that are slowing case adjudication. But the

system is only as effective as the court managers and judges permit it to be. The information and the reports generated are only helpful if they are used.