

Next Generation Court Technology Standards

Phase 1

Court Business Process Model

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1 OVERVIEW

The purpose of this document is to describe the Court Business Process Model that was developed and approved by the NextGen Court Technology Standards Working Group. The Court Business Process Model that was developed during phase one of the project was to define the case type layer of the model, and to begin definition of the second layer of the model, business process categories. As the project team commenced this work, it became apparent that the work could not be performed without also addressing the third layer of the model, the business process groups. The intent of the original project proposal was to complete the second and third layers of the model during phase two, but a substantial part of this work already has been completed.

2 DEFINITIONS

There are a number of business process management methodologies in use today. There are significant differences in these methodologies and the terminology that describes them. The NextGen project team was forced to combine the best features of several of these methodologies to complete this phase of the project. By necessity, several terms were defined specifically in the context of this effort. This section of the document will provide an overview of the terms of art that are necessary to understanding the Court Business Process Model.

2.1 COURT BUSINESS PROCESS MODEL (BPM)

A model is a simplified view of reality that emphasizes specific important elements, while suppressing irrelevant details. A new building design may have hundreds of blueprints. One set of blueprints will tell a structural engineer exactly where beams must be placed without cluttering this perspective with pipes and wires and interior finishes. Other sets will similarly help mechanical engineers, electrical engineers, and specialists in other disciplines know how to do their individual work. When everyone follows the plan, the building can be completed efficiently.

The Court Business Process Model is intended to describe in a similar manner how the work of the judicial branch is done. It is a resource to help those who will improve and automate court business processes. Its goal is to provide a clear and concise understanding of specific business processes in a format that is both comprehensive and economical. It views the same information from different perspectives to aid specialists who will use it for different purposes. The model has been created in four layers to allow access to the big picture and to relevant detail within that structure. The layers are Case Type, Business Process Categories, Business Process Groups, and Elementary Business Processes. Graphical representations of the top three levels of this model are included for a number of case types, below. The fourth level would be represented by expanding the intersections between the Business Process Categories and the Business Process Groups.

Understanding the layers of the Court Business Process Model will be easier if the concepts of functional and process perspectives are first understood.

2.2 PROCESS PERSPECTIVE

The process and functional perspectives are different ways of looking at exactly the same information. The process perspective examines the end-to-end movement of a case through the court system. What steps are performed, and in what order?

From the process perspective, for example, information should be collected at the point in the process where accuracy will be the highest and where the cost of collection will be lowest. This usually means gathering it as early as possible. Judges who view their cases from the process perspective are always trying to move the case forward – from the current case state to the next case state. From this perspective, continuances are usually not productive.

2.3 FUNCTIONAL PERSPECTIVE

The functional perspective looks at the same work in terms of who is doing it, and how it is done. The goal is to get through the calendar, the filings received, the draft orders in the work queue, or the line of customers at the counter as quickly as possible. It is less concerned with what happens later, or the efficiency of end-to-end processes. If work is not essential to the current activity, it is not important. Let someone else take care of it later. From this perspective, a continuance might be considered to be a good thing.

This feature also acknowledges that the court often works with more than one case at the same time. In a plea bargain, a violation of probation may be dismissed in exchange for a guilty plea in a new case. In a child welfare case, a single hearing will suffice for multiple siblings/cases. The focus is on the efficiency of the current hearing or transaction. Analysis solely from the process perspective misses this important information.

Both the process and the functional perspectives are important. When either is ignored, resources are likely being wasted, or the inventory of cases may be growing. Effective business process management must consider both of these views.

2.4 CASE TYPES

Case types have an enterprise process perspective. Courts process cases and matters. Every case or matter is associated with a Case Type. The Case Type determines which level (or levels) of court have jurisdiction, the nature of the controversy that requires court intervention, the steps that must be taken to resolve the case or matter, what remedies or sanctions or punishments may be appropriate, what kinds of record must be kept, what special rules may apply, time parameters, etc. For this model, case types are what many courts consider to be subtypes.

Examples of case types include:

- Felony Criminal
- Parking
- Municipal Ordinance Violations
- Adoption
- Name Change
- Dissolution of Marriage

- Eminent Domain
- Child Support
- Child Abuse or Neglect
- Informal Probate
- Original Appeal

2.5 BUSINESS PROCESS CATEGORIES

Business Process Categories have a business process perspective. They are a decomposition of the Case Type. A Business Process Category is a collection of Business Process Groups that are logically connected within a case type in a sequential and unambiguous manner. Case Types must be decomposed into Business Process Categories because there are activities that:

- Constitute alternate paths in the Case Type
- May occur anywhere in the Case Type
- May occur multiple times in the Case Type
- May never occur in the Case Type

By separating the Business Process Categories, it is easier to analyze work that is being performed. The following examples show some of the Business Process Categories in the Felony Criminal Case Type and why they are separated from the main Business Process Category.

- Charge filing/disposition/sentencing is the main Business Process Category in the felony criminal Case Type
- Drug Court is an alternate Business Process Category because it represents a different set of activities to get a case to resolution
- The motion/hearing/order and the arrest/detention/release Business Process Categories are intertwined processes because they can occur at almost any point in the main Business Process Category, they can occur multiple times, or they may not occur at all
- Requests for arrest warrants, search warrants, pin registers, and other investigative documents are matters that often precede and are not directly connected to a case, but are part of felony case processing
- Post-judgment relief, appeals, and violations of probation are Business Process Categories that may follow the main process and are connected to the case, but they are not normal occurrences within the felony case.

2.6 BUSINESS PROCESS GROUPS

Business Process Groups have the functional perspective and are related to organizational capabilities. Business Process Groups are collections of Elementary Business Processes that involve one or more people, at one or more places, at approximately the same time, but all of the included elementary processes are logically connected.

A Business Process Group may intersect with multiple Business Process Categories. For example, a court hearing is a Business Process Group. A single hearing may deal with charges in one category, with

custody status of a defendant in another category, and with appointment of counsel issues in another category.

Examples of Business Process Groups include:

- Accept over-counter small claims complaint from pro se filer
- Felony criminal arraignment hearing
- Temporary protection order hearing
- Civil jury trial

2.7 ELEMENTARY BUSINESS PROCESSES

Elementary Business Processes share both the organization function and the business process perspectives. They occur at the intersection of the Business Process Category and the Business Process Group. They are activities performed by one person, in one place, at one time. They are the finest level of granularity of business process documentation. They not only identify the work that is being done, but they describe how to do it.

Examples of Elementary Business Processes include:

- Issue order appointing public defender
- Accept or reject and route warrant request
- Schedule show cause hearing

Notice that an Elementary Business Process to issue an order appointing a public defender could occur at nearly any hearing in certain case types. If the activity is the same, it is only documented once as an Elementary Business Process. It is then reused anywhere the activity may be conducted.

The original plan was to enumerate Elementary Business Processes during the second phase of the project, and then to spend the third phase defining each Elementary Business Process on this list.

3 CASE TYPES

Layer one of the Court Business Process Model is the Case Type layer. Working Group members and project staff reviewed information from seven states in defining these case types. The states included:

- Pennsylvania
- Nebraska
- Oklahoma
- Illinois
- Louisiana
- New Hampshire
- Michigan

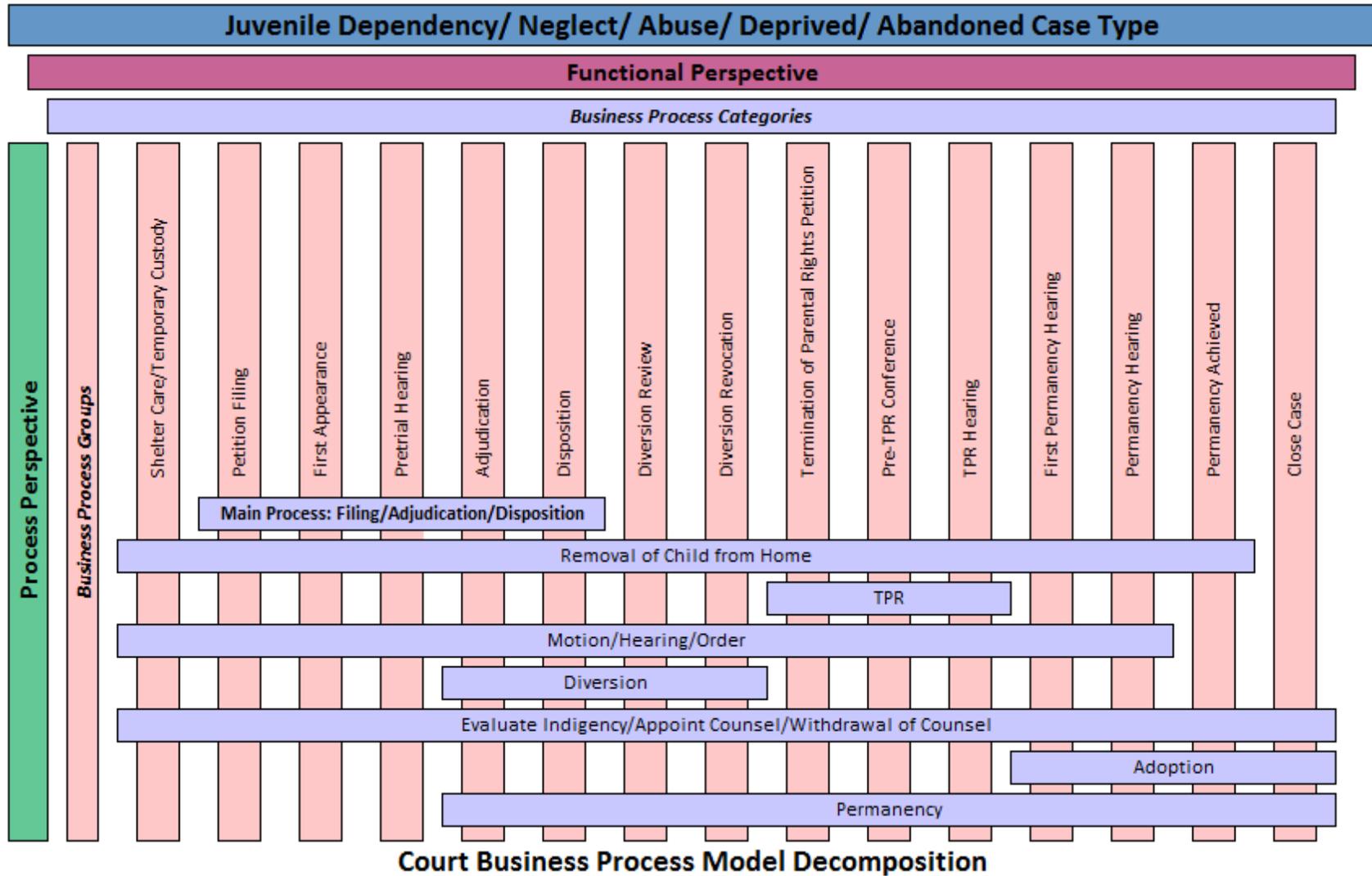
The following case types were defined as layer one of the Court Business Process Model. As analysis proceeds in later phases of the project, this list may be refined. It may be discovered that some of these

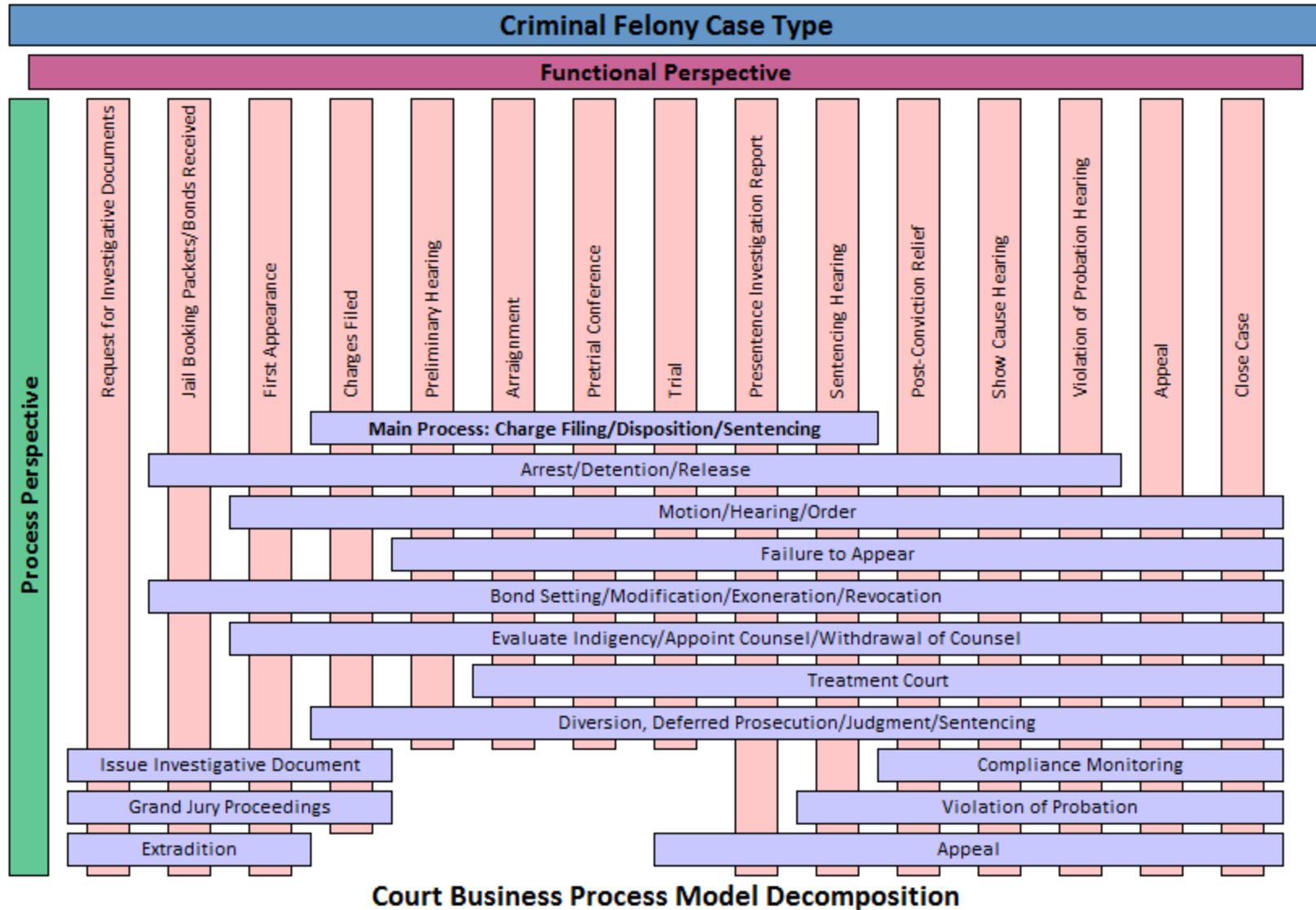
case types are similar enough in processing that they can be combined. On the other hand, operational differences may force the splitting of some case types.

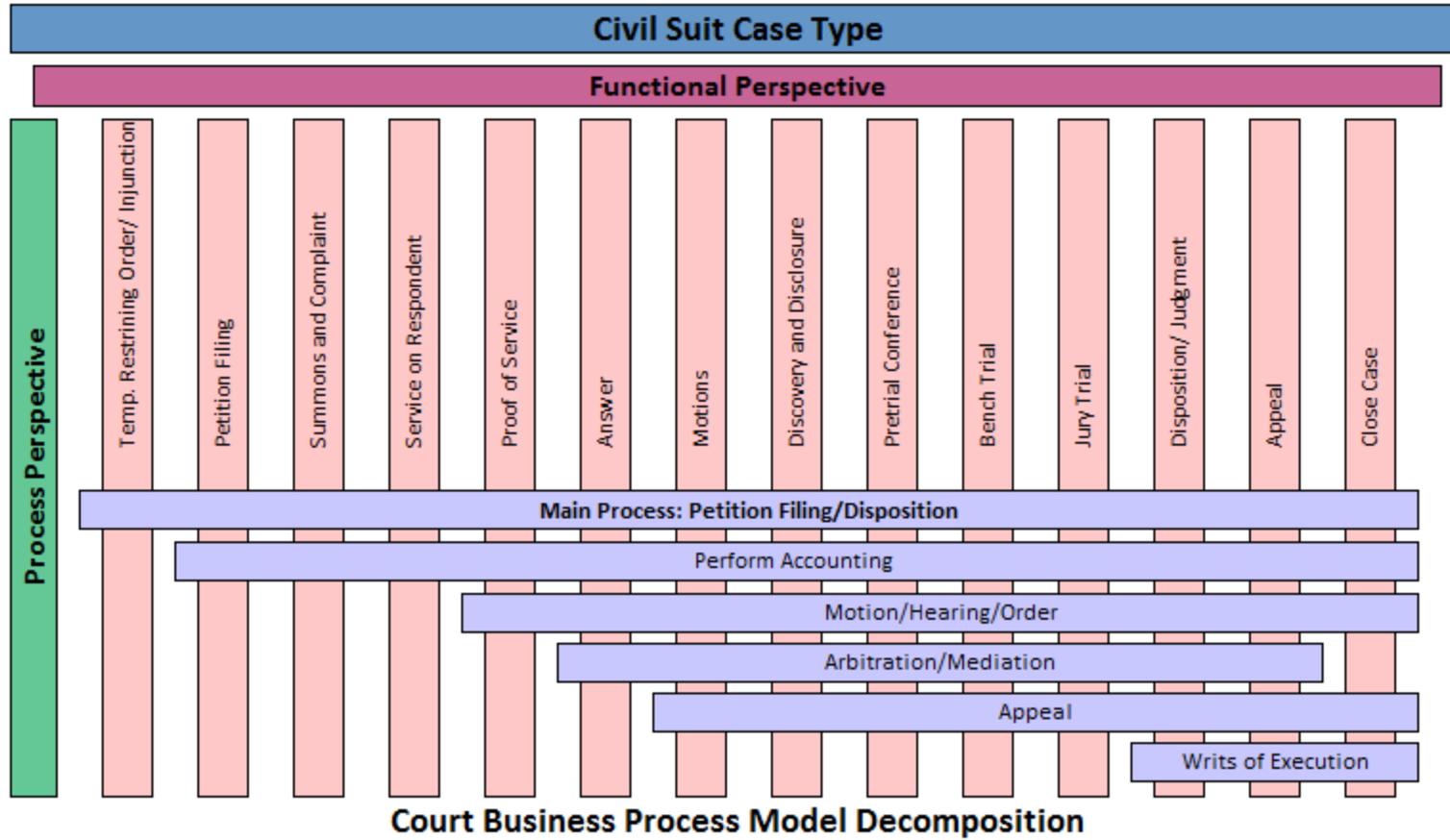
- Civil Suit
- Civil Small Claims
- Civil Non-domestic Protection/
Restraining Order
- Civil Mental Health
- Civil Mass Torts
- Civil Class Action Suits
- Civil Writs
- Civil Foreign Judgments
- Civil Liens
- Domestic Dissolution/ Divorce
- Domestic Paternity/ Filiation
- Domestic Custody/ Parenting
- Domestic Support
- Domestic Visitation
- Domestic Adoption
- Domestic Protection/Restraining Order
- Domestic Foreign Judgments/ Orders
- Probate Guardianship/
Conservatorship
- Probate Estate/ Wills/ Intestate/
Succession/ Trusts
- Probate Name Change
- Probate Mental Health/ Civil
Commitment
- Juvenile Delinquency/ Status Offense
- Juvenile Dependency/ Neglect/ Abuse/
Deprived/ Abandoned
- Juvenile Termination of Parental Rights
- Criminal Capital Felony
- Criminal Felony
- Criminal Misdemeanor
- Criminal Petty Offense/ Infraction/
Unclassified Offense
- Criminal Local Ordinance Violation
- Criminal Investigative Documents
- Criminal Extradition/ Detainer
- Traffic Misdemeanor
- Traffic Petty Offense/ Infraction/
Unclassified Offense
- Traffic Local Ordinance Violation
- Traffic Civil
- Traffic Parking
- Appeals to Trial Court

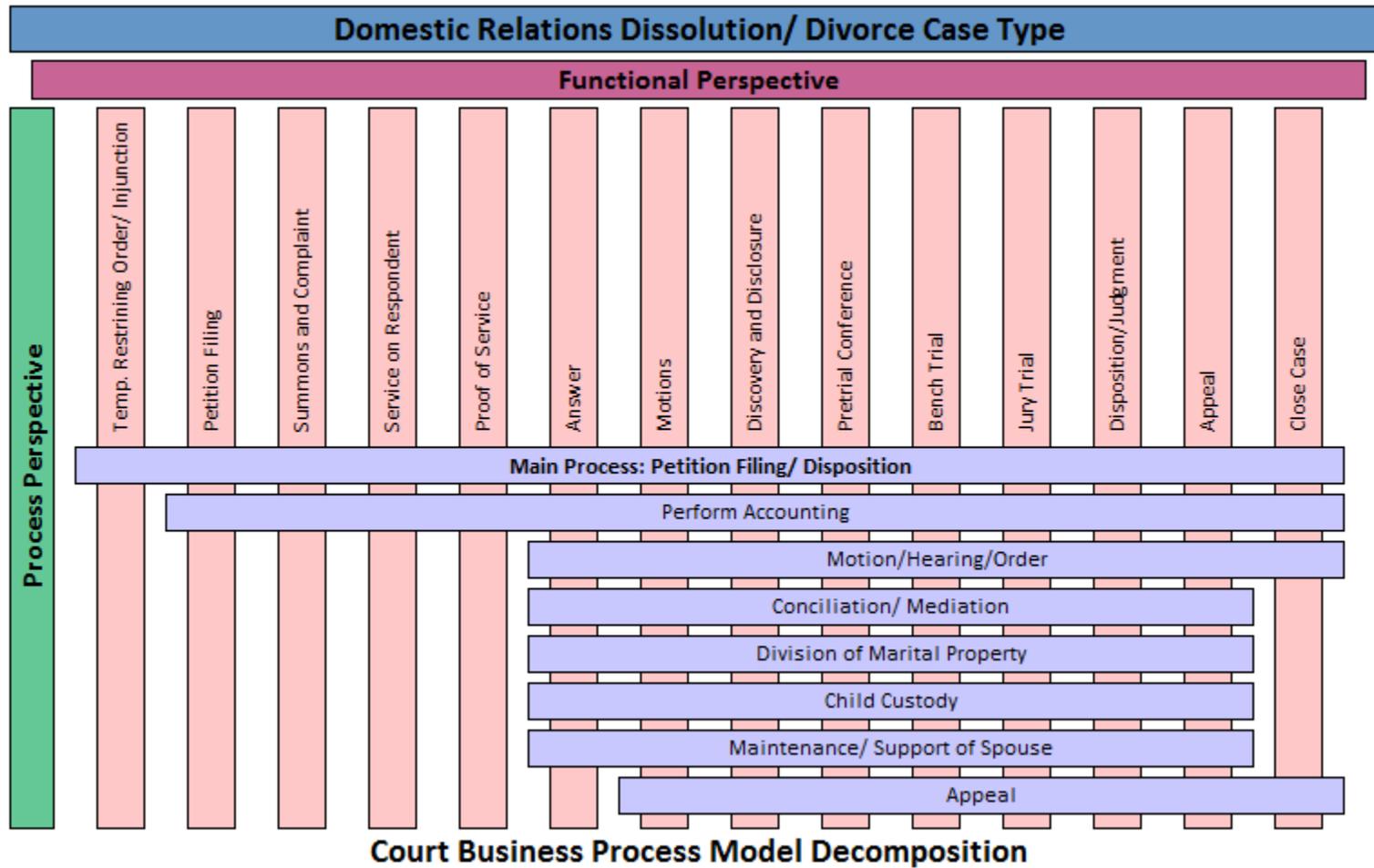
4 BUSINESS PROCESS CATEGORIES AND BUSINESS PROCESS GROUPS

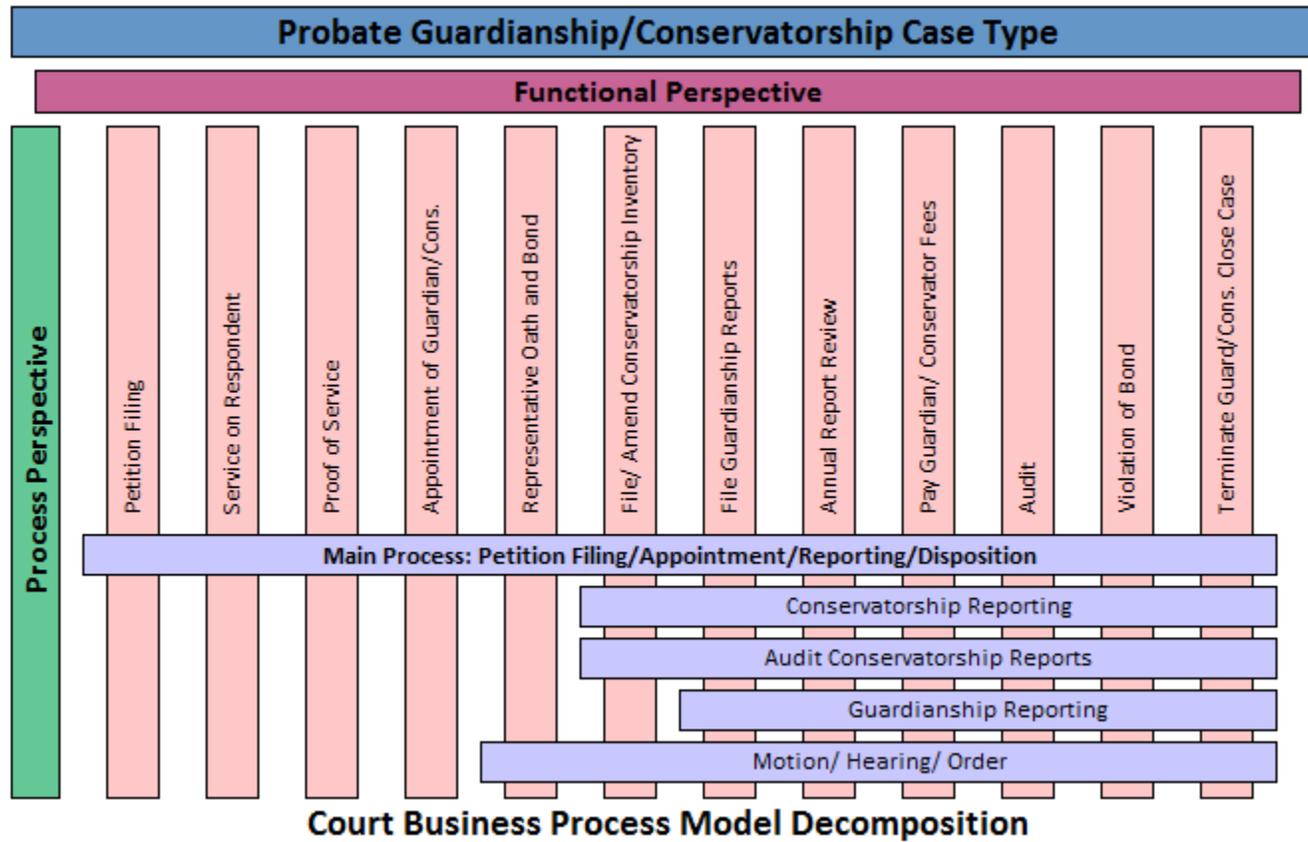
A number of graphics have been developed to illustrate the Business Process Categories and Business Process Groups within each case type. Providing such a graphic for each case type would be redundant, so only a sampling from each of the major categories of case types are included: civil suit, criminal felony, domestic relations dissolution, probate guardianship, traffic ordinance, and appeals criminal.

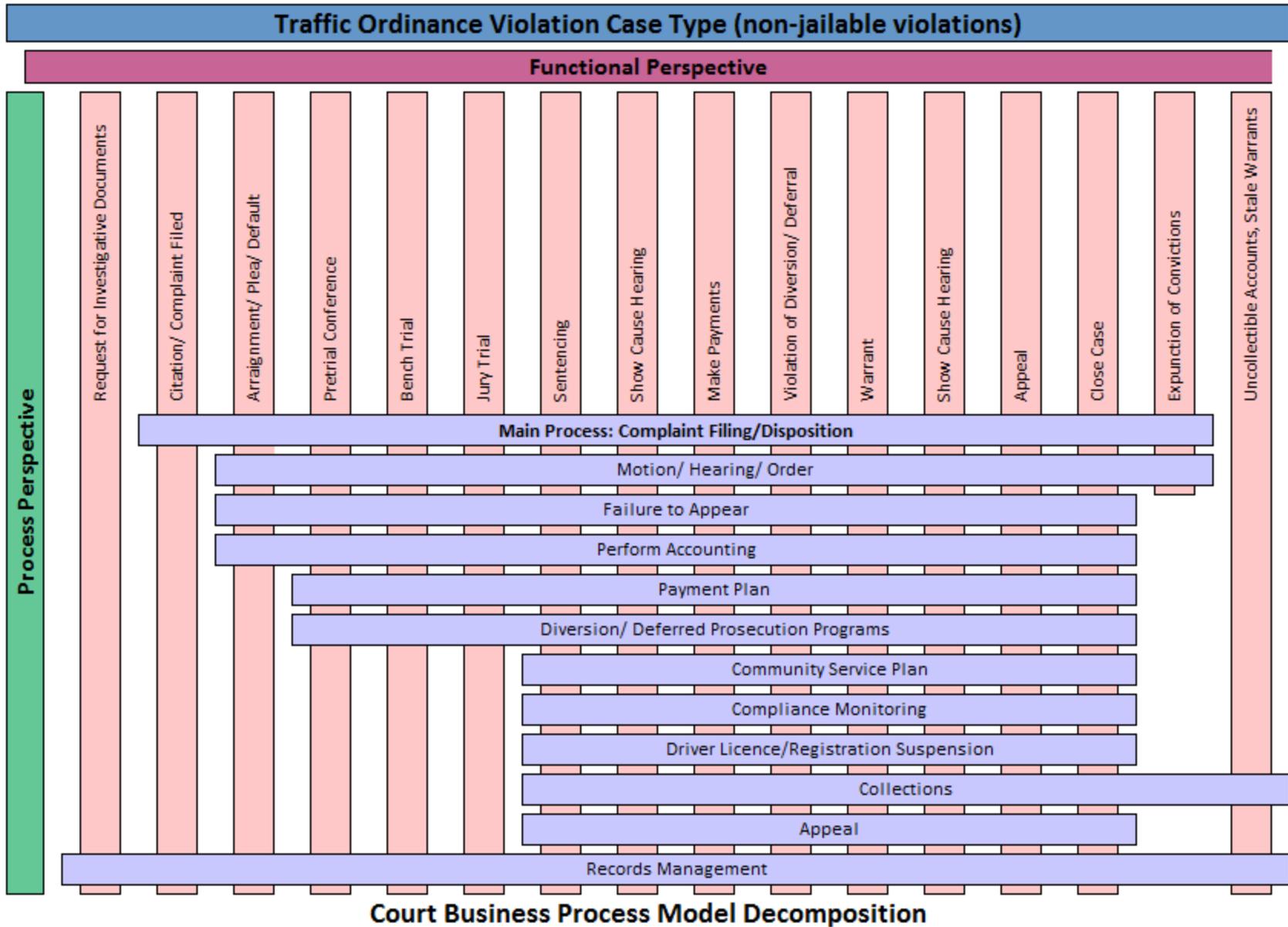


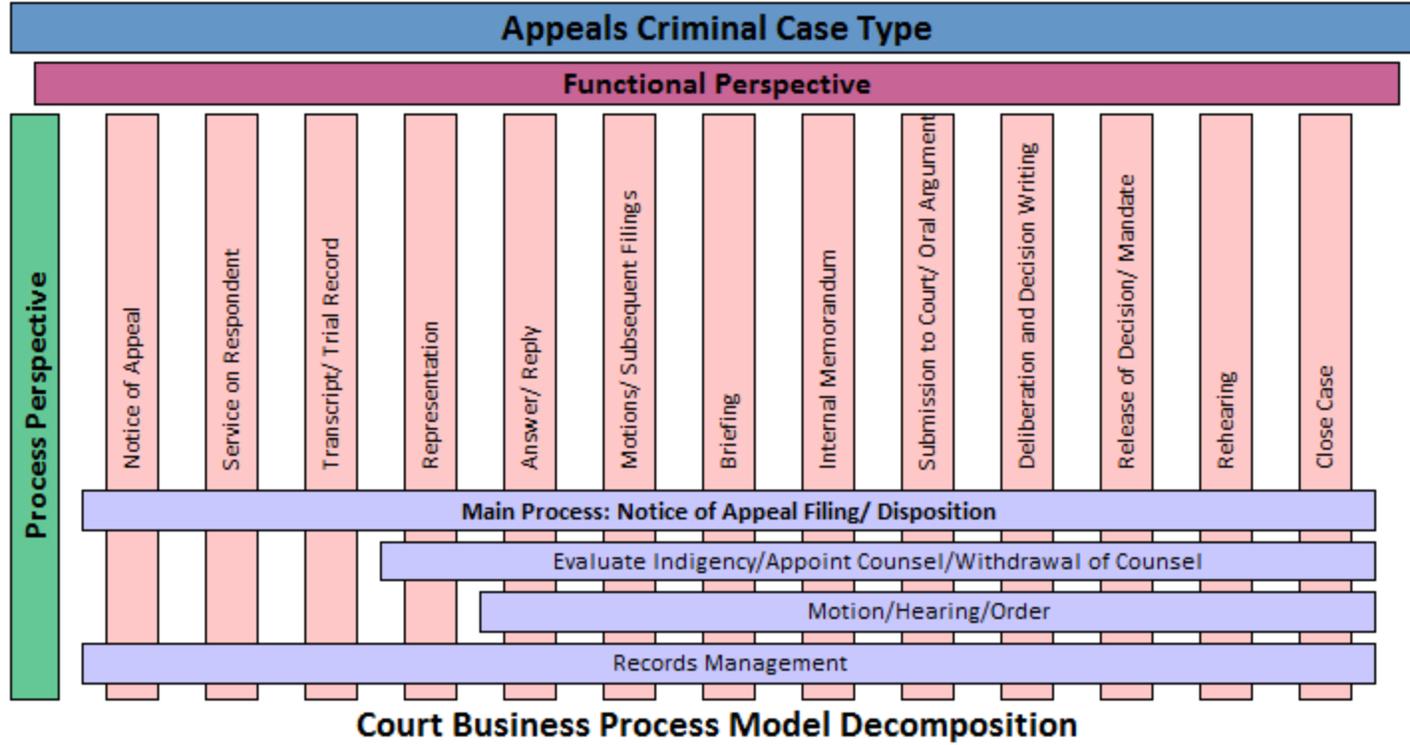












5 SUMMARY

This approach to creating the NextGen Court Business Process Model is unique and offers the capacity of understanding the work of the judicial branch in an entirely new way. Better modeling of the business processes can lead to more effective automation and improved court productivity. Within the context of reused elementary business processes, case management system modules that support those processes can be integrated and reused in a manner that precisely meets the needs of the particular court system. It is hoped that future efforts to develop NextGen Court Technology Standards will address implementation of these concepts.