2.7

Promote Early Intervention and Effective Management of Court Cases

ESSENTIAL ELEMENT 7: Effective Court Caseflow Management

POLICY

Courts must control case progress and court events through judicial leadership and control of their dockets. Courts should be accountable and hold attorneys and community providers accountable in ensuring that the court process meets the specific needs of the individual. Individuals with behavioral health needs are best served through availability of multiple pathways to treatment and recovery.

EVIDENCE-BASED PRACTICES

The High Performance Court Framework provides four administrative principles of a high performing court:

1. Every case receives individual attention
2. Individual attention is proportional to need
3. Decisions demonstrate procedural justice
4. Judges control the legal process

The Effective Criminal Court Management (ECCM) project provides five principles of efficient criminal caseflow management:

1. Leadership and governance
2. Early court intervention and control
3. Predictable and productive court events
4. Goals and information management
5. Communication and collaboration

GETTING STARTED

Self-assessment: Take the first step to determine where your court may need to improve using the Caseflow Management Maturity Model produced by the ECCM project. As you review the Caseflow Management Maturity Model, view with a lens of the unique needs of individuals with behavioral health needs.

ROLES AND RESPONSIBILITIES

Leadership from the bench, court administration, and the Bar will be instrumental in securing buy-in and cooperation for any changes implemented and should be included in communication about any changes to the caseflow process. The court is responsible for controlling the pace of case progress through enforcement of continuance policies and ensuring productive case events.

NEXT GENERATION
Innovation, Technology, New Practice

A case management system should be leveraged to track performance indicators of case progress, such as time between case milestones, predetermined time standards, reminders for deadlines to meet the next case milestone, and so on. Lessons learned from specialty court performance measures and standards should be

appropriately adapted and implemented in pathways for individuals with behavioral health needs.

Using the NCSC Court Backlog Reduction Simulator (CBRS), make your data actionable by identifying, implementing, and sustaining effective case management strategies that reduce pretrial detention and facilitate case resolution. The NCSC simulator tool will assist you in developing data-driven solutions including diversion to treatment to growing caseloads. The tool aims to translate existing performance data into forward-looking models of policy and practice changes. Users can pinpoint the stage of their active cases, identify targets for change, and estimate future pending caseloads under different scenarios.

Institutionalization, Sustainability, Funding

Embed a court-controlled case process in the court's routine case management and technology systems. Promote ongoing communication and collaboration with justice partners, funders, and the public. Demonstrate benefits of more effective management of cases involving individuals with behavioral health in terms of justice outcomes, use of tax dollars, and allocation of court resources.

RESOURCES

High Performance Court Framework: A Road Map for Improving Court Management

The Effective Criminal Case Management project overview, results, and tools

Success in Criminal Caseflow Management: Lessons from the Field