Automated Civil Triage and Caseflow Management Requirements
November 30, 2015

Section 1. Introduction to Civil Triage and Automated Caseflow Management Requirements

These civil triage and automated caseflow management requirements are a subset of case management system (CMS) requirements that addresses optimizing and organizing the work of the court, with the aim of making a court more effective and efficient; the full array of CMS functional needs are depicted in section b) "Context of the Requirements: Business Capabilities" for the context of these requirements among all CMS requirements.

CMS features for triage and automated caseflow management requirements are lacking in most current systems which depend largely on human intervention to make case-processing decisions for moving cases toward resolution without undue delay. Tools are not available in most CMSs to actively help manage caseflow except for reports of performance key indicators which are retrospective.

The goal of any caseflow management decision is to drive toward case adjudication. Automated tools to proactively help judges and staff decide when a particular action will improve caseflow are generally unavailable, leaving it to personnel to identify the context for a particular decision in order to manage a particular decision, based on their training or experience. The triage measures proposed in *Reimagining Courts* require changes in court organization and culture, and these CMS requirements are intended to facilitate implementation of automated triage and caseflow management decisions.

A capsule statement of the approach of these requirements is this:

Case events trigger execution of business rules that alter the Case State (status) as part of the following process:

1) *Perform automated tasks that track the caseflow status and progress of the case when a Case Event occurs;*
2) *Perform triage (automated determination of change in the adjudicatory process applicable to a case), and present the triage decision to a staff decision-maker or judicial officer, as appropriate, for review;*
3) *Perform automated determination of a caseflow management action, and present the caseflow management decision to a staff decision-maker or judicial officer, as appropriate, for review, using the least amount of legal expertise for each decision; Case Events referred to a judicial officer enable making a preliminary or final decision leading toward resolution of the case; and*
4) *After human decision affecting caseflow, notify parties and participants of "what's happening" in the case so they can respond to triage and caseflow management decisions.*

Some of the guiding principles in developing these requirements:

1) Business rules cover 80% of situations, not including multi-party complex litigation. This keeps complexity of the business rules to a manageable level.
2) Processes are relatively simple, as they do not change frequently. By contrast, business rules may change frequently by mandate or as case managers seek greater efficiency in case processing.
3) Rules of civil procedure are generic, not specifically the Federal Rules of Civil Procedure nor of any particular state; rather, the rules are intended to allow jurisdictions to specify best

practices. A jurisdiction using these requirements would insert their own rules and time periods.

4) Variances exist among local legal cultures. Jurisdictions tend to favor oral motions and oral argument, or written motions and written responses. The decision rules relating to attachments to motions reflect both variations: Some decision rules provide for court staff to determine if requirements attachments are filed with a motion (and to follow up personally with attorneys), and other decision rules detect whether required attachments are filed and, if not, generate an order for compliance with a tickler to monitor compliance.

a) *Overview of Civil Case Triage and Caseflow Management Requirements*

1) Elements of Civil Triage and Automated Caseflow Management Requirements

These requirements use process modeling concepts. The terminology and role of these elements are explained below:

A. Case Management System (CMS) is a "System of Record." A CMS is considered a "system of record" because it contains all information about a case: this includes a register of actions (identifying documents filed in the case and detailing what occurs in a case during court proceedings), some data about the case (e.g., relevant dates, participants, state/ status of the case), and the content of documents filed in the case by litigants, participants and the court. All content, data and metadata about the case are available to the CMS for use in triage and caseflow management.

B. Case Cover Sheet for Filing Documents into a Case. Many jurisdictions use a filing cover sheet to help identify the case type and the purpose of a court filing. Automation can use this information to facilitate applying business rules to the filing.

C. Structured Petition and Other Filings. In jurisdictions where efiling is implemented, filings may have structured data fields to allow the data to be used in case processing.

D. Case State. The status of a case is the "Case State." A case status indicator may be as simple as "Open" and "Closed," and are used for reporting case statistics to the state. In contrast, these "Automated Triage and Caseflow Management Requirements" define a large set of Case States used to track Case State changes to guide triage and caseflow management decisions.

E. Case Events. Anything that happens in a case is a Case Event and may change the Case State. Occurrence of the Case Event may affect which adjudicatory process the case will be assigned to (case triage), or the appropriate response to the filing (caseflow management), according to decision rules (see "Decision Rules in 'Event-Response' Tables" below). The kinds of Case Events used in these requirements are illustrated by the following examples:

- An external input is an action of a litigant, such as filing a pleading or a motion.
- An internal event is an action by court staff or a judicial officer, such as preparing an order for the judicial officer to sign, and the judicial officer signing it.
- A temporal case events signals the arrival of a predefined point in time, such as the deadline passing for a responding party to file an objection to a motion, after which time the court will be prompted to decide the motion based on the motion alone without an objection to the motion.

- A conditional case events occurs upon sensing a particular circumstance or set of circumstances that triggers a process; for example, failure of a plaintiff to prosecute a case may be a trigger for the court to review dismissal of the case

F. <u>Definitional Rules</u>. A definitional business rule describes how concepts, knowledge or information are defined or structured, are true by definition and cannot be violated.

G. <u>Behavioral Rules</u>. A behavioral rule states the action to be taken where there is an obligation concerning conduct, practice or procedure, and can be violated because people do not follow the rules. Decisions by judicial officers as behavioral rules generally are interpretations of some law, rule, regulation, or business policy, and are intended to prevent undesirable situations.

H. <u>Decision Rules in "Event-Response" Tables</u>. Case events trigger a response by the CMS based on these rules which express the criteria for triage evaluation and caseflow management decisions. The event-response table is a decision table that visualizes each Case Event as a row of the table, and the response to that event as additional columns in that that row. Each table may contain many rows, each representing a Case Event. See "Case Events" above.
The output response to a Case Event typically can be configured as a series of tasks that are appropriate for a particular set of circumstances (the "Case State").

I. <u>Business Rule Task</u>. A business rule task evaluates process data to execute a complex decision and returns the result to the process. The results of the decision updates process data, including the Case State, which affects the flow of the process.

J. <u>Tendency of Business Rules to Change</u>. Behavioral business rules use information provided to follow steps and lead to a decision. When the business rules change, the decision outcome also changes. Therefore a CMS using business rules needs to be easily changeable, as court managers and case managers need to adjust business rules to meet changing external business circumstances, and to experiment in finding the right combination of business rules to achieve efficiency in resolving cases.

K. <u>Human Task</u>. A task is that requires human intervention, differentiated from form-based and system tasks. A process with a human task stops until a person performs the task, when control is passed back the automated process. Staff and judicial officers make triage and caseflow management decisions, which are human tasks.

L. <u>Case State Table for Caseflow Management Process Steps</u>. The state (or status) of a case and of its parties and participants is tracked in a table. The Case State may change directly because of an event or as an indirect result of a system response to an event. The four stages of a case represent transitions from one to another during the case lifecycle (see section 9. "The Repeated Triage and Caseflow Management Evaluation" below):
   1) Pleading (Case State is captured through a document-filing cover sheet)
   2) Discovery
   3) Pretrial/Trial
   4) Post-Trial

M. <u>Ticklers</u>. Ticklers are reminders to a human participant to monitor whether some case event occurred or not, according to the rules or practice of a jurisdiction. A tickler variable must be given a specific value and a recipient role during configuration of a case event, and a tickler is automatically generated in response to a case event.
The tickler for tracking whether a summons has been served after it was issued would be shown in the requirements as: DateForNonServiceOfSummons.Tickler. If the value of this parameter is 91, (1) the matter would be queued for review for Dismissal for Non-Service of Summons, (2) a

Dismissal for Non-Service of Summons would be generated for review. See **Table 5.2-01 Caseflow Management Decision Rules #8**.
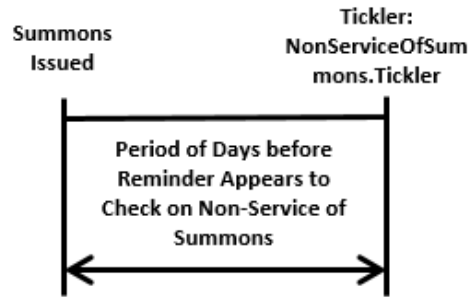
Figure 1. Tickler Example

N. <u>Parameters</u>. Parameters are variables that must be given a specific value during configuration according to the rules or practice of a jurisdiction, and are used during the execution of a process.
If a parameter is given a name in these requirements, the naming convention XxxYyy.Parameter denotes a parameter using identifying words for "Xxx" and "Yyy." The words are written in "CamelCase" such that each word begins with a capital letter. Two examples:

1) In Case Triage the parameter for the Amount in Controversy threshold for identifying cases for the standard pathway would be shown in the requirements as StandardAmountInControversy.Parameter. If the value is this parameter is greater than $50,000, for example, the case will be moved from the expedited pathway to the standard one. See **Table 5.1-04 Case Triage Parameters**.

2) In Caseflow Management the parameter is used for automated scheduling of a hearing a number of days out for failure to attach required attachments to a pleading. See **Table 5.2-01 Caseflow Management Decision Rules #4**.
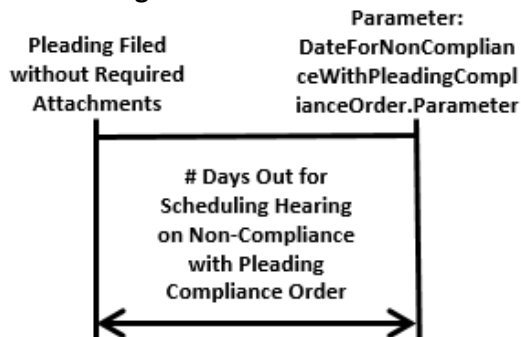
Figure 2. Parameter Example

O. <u>Work Queues</u>. Actions taken by case parties, participants and the CMS create work items. Users receive work items that have not yet been processed in a list (queue). Work items are assigned to a queue based on the job role of the user, and groups of users may be created to share work queues to help ensure that work is timely completed. Users are free to choose the items from a queue to work on. Supervisors or case managers can monitor the number of work items and the elapsed time of users processing the work items.

Case Event-Response Table Patterns

Typically the sequence of process steps includes the following patterns depicted in the following diagrams.

Pattern #1: Event Occurred – Set Tickler

Example Case Event #2 "Summons Issued for Named Defendant(s)":

1) The CMS records the Case State resulting from the Case Event, with the Date/Time the event occurred.
2) The CMS generates a tickler using a date for this type of event (NonServiceOfSummons.Tickler) to check later whether Service of Summons on Defendant has occurred according to a deadline set in the rules of civil procedure, e.g., 21 days out.
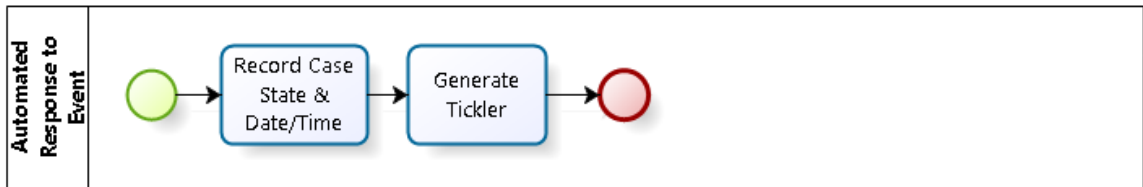
Figure 3. Process Pattern #1: Event Occurred, Monitor Next Event

Pattern #2: Seek Compliance for Motion Filed without Required Attachments – Schedule Hearing

Example Case Event #39 "Discovery Motion Attachments Not Attached (e.g., Proposed Order, Expedited Motion Attachment, Meet & Confer Certificate)": This is a process where a discovery motion is filed and the CMS determines that required attachments to the motion are not attached.

A. The CMS determines that required Pleading Attachments are not present.
B. The CMS records the Case State resulting from the Case Event, with the Date/Time the event occurred.
C. Generate Discovery Motion Compliance Order using a date for this type of compliance order (DateForNonComplianceWithDiscovery ComplianceOrder.Parameter).
D. Queue for review of Discovery Compliance Order and later signature by judicial officer
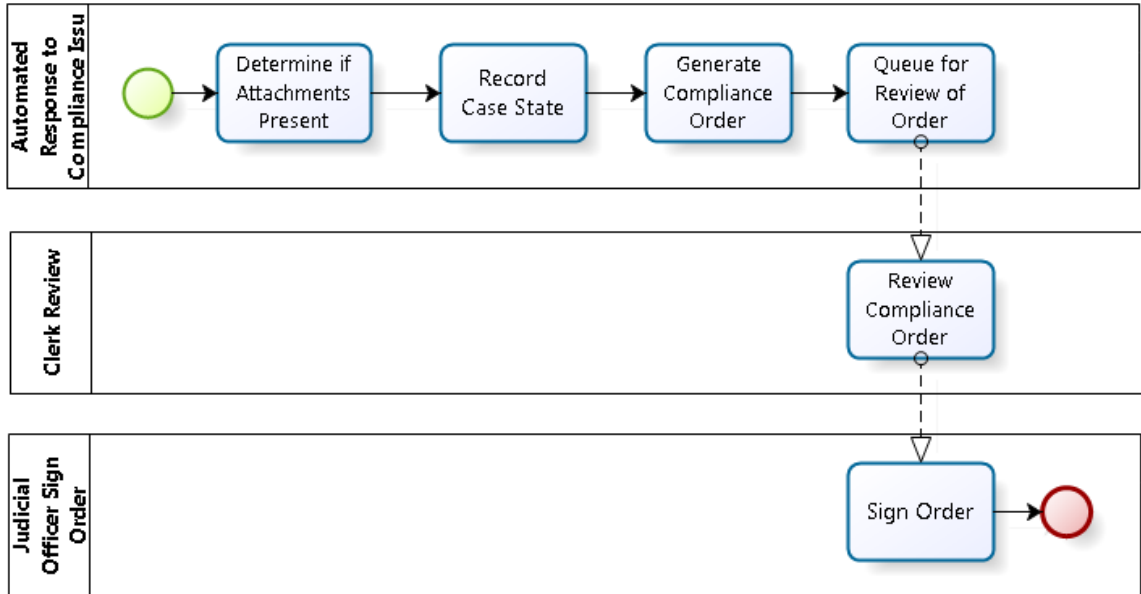
Figure 4. Process Pattern #2: Compliance Order

P. <u>Case Progress Graphical Displays</u>. One aspect of the user interface is to inform the judicial officer, case managers, attorneys and litigants progress toward resolution the case. The requirements specify a graphical display that indicates the timeline or process steps for a case, and the status of the case in relation to other cases of that type. The requirement is formulated in terms of case management tracks.

2) Triage Described in *Reimagining Courts*

The strategy in *Reimagining Courts* proposes triaging cases in which a case's state (status) or issues are evaluated when a Case Event occurs in the following manner:

1. Assign cases early to one of several case-processing paths and provide for the possibility that paths could change one or more times in the route to case resolution.
2. Assign cases to a case processing path based on issues raised in the case rather than on case type.
    a. Early case screening for complexity based on established criteria
    b. Continuously screen/ assess cases for assignment to unique processing paths
    c. Different patterns of caseflow management procedures for each path
3. Enable litigant choice of processing strategy to varying degrees on the basis of the assigned path.
4. Make best use of scarce resources by using the least amount of legal expertise required for appropriate disposition. (Flango and Clarke, p. 38).

The diagram of The Triage Process on page 45 of *Reimagining Courts* is schematic and contains useful general information about the types of triage process. It does not, however, describe the process of triage itself or represent the repeated triage that occurs during a case lifecycle, which is addressed in the section 9 below titled, "The Process of Repeated Triage and Caseflow Management Evaluation."

<u>Repeated Triage</u>. The Triage Process of *Reimagining Courts* is modified to transition civil cases between expedited disposition and adversary adjudicatory processes for resolution of particular disputes, as determined through repeated evaluation whenever Case Events occur. A case may shift from one adjudicatory process to another – and perhaps back again– depending on what happens in the case.

The two adjudicatory processes in civil cases are described in more detail in the following subsections.

3) Differentiated Case Management

Some courts manage case progress through differentiated case management (DCM). DCM plans are typically implemented first at the case type level – civil, criminal and family – because a court is organized into those divisions. Then cases are differentiated by the amount of attention they need from judges and lawyers, and assigned to a track. Track criteria may include how many days out of trial that attorneys estimate; in these requirements, the criteria are driven by what Case Events occur. Track assignment determines the pace at which cases can reasonably proceed to conclusion, by setting milestone targets in a scheduling order for completion of steps toward readiness for trial.

DCM plans have the following characteristics:

- Early case screening for complexity based on established criteria
- Assignment of cases to unique processing tracks based on screening assessment
- Different court management procedures for each track
- Variety of case assignment protocols, best suited to each track (Steelman, 2008, slide 21)

Caseflow management encompasses two varieties of management specified in these requirements: differentiated case management (DCM), and triage. Their relationships are shown in the Venn diagram below:
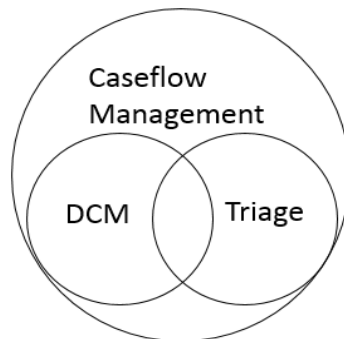
Figure 5. Venn Diagram of Caseflow Management, DCM and Triage

4) Expedited Disposition Adjudicatory Process

The expedited disposition adjudicatory process addresses "the more standard 'cases' that occur frequently enough so that the law is established and the key determination is whether the facts in question meet the standard of the law. These more-routine cases require facts to be established so that a judicial officer can quickly apply the law, and [judgment and damage awards] are limited so that

dispositions can be expeditious...the primary task becomes processing a large number of individual cases, a more streamlined process not unfamiliar to the administrative agencies in the executive branch of the government." (Page 70). (The original language for "judgment and damage awards" was "sentence and financial penalties," giving it a criminal case context.)

Civil cases are presumptively Expedited Disposition Adjudication type until Case Events occur to change the adjudication type to full adversary (standard or complex).

Adjudicator. A judicial officer in a division of a general jurisdiction court or in a limited jurisdiction court (e.g., associate judge, municipal court judge, magistrate, justice of the peace, commissioner, referee) is the decision-maker for resolution of disposition cases.

Process Characteristics. The expedited (or streamlined) adjudicatory process has the following characteristics:
- The stakes of the proceeding are relatively lower than for adversary proceedings.
- Either or both sides may be represented by counsel, but it is common for at least one party to represent themselves.
- Pleading are mostly limited to a Petition and answer. Failure of a defendant or respondent to answer a Petition leads to default, a not uncommon occurrence.
- Pleading is simplified because motions and multiple parties are uncommon due to the relative simplicity and routine issues involved.
- Discovery is less than the full adversary process because relatively fewer documents are involved (e.g., the petition and a few supporting documents) are generally available to both sides of the dispute and do not require expert assistance to interpret.
- Pretrial attempts at settlement of the dispute usually occur immediately before the case is tried.
- Cases which are not settled complete the trial process in relatively short order because there are few issues and witnesses.
- Post-trial proceedings may include appeal to a general jurisdiction court, but more often involve satisfaction of the resolution ordered by the court.

A diagram of the expedited disposition adjudicatory process is set forth below in section 6 "Interaction of Expedited Disposition and Adversary Adjudicatory Processes."

5) (Full) Adversary Adjudicatory Process

In the adversary process each party to a dispute has the right to present its case as persuasively as possible, subject to the rules of procedure and evidence, to an independent fact finder, either judicial officer or jury, decides in favor of one side or the other. Although the court itself and case processing system are designed to resolve adversary cases, fewer than 5% of civil cases, for example, are resolved by bench trial and jury trial.

Adjudicator. A general jurisdiction or limited jurisdiction court is the forum for resolution of adversary cases.

Process Characteristics. The adversary adjudicatory process has the following characteristics:

- The vast majority of cases are resolved at the pleading stage, the discovery stage, or the pretrial stage, after the facts of the case are known to the parties, and they make the determination that settlement is a better resolution than trial.
- Stages of the case can be repeated: for example, the case may be in the discovery phase when one party files for summary judgment, or when an additional party is added or dismissed.

6) Interaction of Expedited Disposition and Adversary Adjudicatory Processes

A civil case which begins as either an Expedited Disposition or Adversary Adjudication pathway may be triaged to the other pathway as a result of one or more Case Events, and possible back again.

CMSs offer a single model for case adjudication: a generalized adversary process which can be streamlined to an expedited adjudicatory processes.

A diagram of the full adversary adjudicatory process is set forth on the next page:

Case
Initiation

Adversary

Straight arrows represent
common paths
Curved arrows represent
repeat paths

Expedited

Pleading Event

Multiple Pleading
Motions/ Hearings

Pleading Motions/
Hearings

Pleading
Triage

Complaint
Dismissed or
Summary
Judgment

Discovery Event

Multiple Discovery
Motions/ Hearings

Discovery
Triage

Pretrial/Trial Event

Pretrial/Trial Event

Appeal Successful –
Retrial on the Record or
Trial de Novo

Multiple Case
Conferences

Pretria/
Trial Triage

Pretrial/
Trial Triage

Judgment Appealed or
Judgment Executed

Post-Trial Event

Post-Trial
CET

Appeal Successful –
Amended Judgment

Case
Resolution

Figure 6. Expedited Disposition and Full Adversary Adjudicatory Process

7) Initial First-Pass Triage to Case Management Pathways Based on Case Type

Case type plays a role in the triage process because every case filed in court is identified by the filer on a cover sheet as a specific case type. Triaging a case type moves cases down a path most appropriate to case characteristics.

Case types when filed will be presumed to have a certain adjudicatory process unless or until a Case Event occurs to change the adjudicatory process. See **Table 5.1-01 Case Type Triage Definitions**.

8) Case Events Affecting Triage and Caseflow Management

Case events trigger evaluation of the Case State, and result in triage of the case to a different adjudicatory process or some action that facilitates caseflow management. A generalized list of external and internal Case Events includes the following examples:

a) External Case Event: A document filed by a party, including the content of a document filed (e.g., jury demand/ waiver of jury, motion for default, counterclaim/ cross-claim/ third-party claim

b) External Case Event: Occurrence of an event (e.g., settlement/ plea agreement, dismissal)

c) Internal Case Event: Characteristics of the case as it emerges (e.g., amount in controversy or severity, amount of controversy (contested issues), number of parties, type(s) of relief requested

d) Internal Case Event: Non-occurrence of an event after a prescribed period of time (e.g., summons not served, answer not filed, response to motion not timely filed, mandated report not timely filed, speedy trial right asserted but not achieved

Specific Case Events that trigger an evaluation of the Case State are set forth in tables of business rules, set forth in the following business rules:
- **BR 5.1-01 "Case Events Affecting Triage"**
- **BR 5.2-01 "Case Events-Reponses Affecting Caseflow Management"**

9) The Process of Repeated Triage and Caseflow Management Evaluation

The adjudication pathway of a case is reevaluated multiple times during the case lifecycle. Reevaluation occurs when Case Events occur while a case is in one stage (e.g., pleading, discovery, pretrial/ trial, post-trial), and also as a case moves from one stage to another. Repeated triage is not necessarily a linear process because stages may be repeated or return to an earlier stage. Triage occurs multiple times as case characteristics emerge during the case lifecycle due to events initiated by parties or participants, and due to events (or non-events) tracked by the CMS.

The process diagram below in BPMN format[1] contains a loop which returns to an "Apply Business Rules" task whenever a Case Event occurs and the case is not resolved. The looping ends when the case is resolved.

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[1] Business Process Model and Notation 2.0.

Narrative for the Triage Case Process diagram:
1) A Case Event occurs, either as a result of party or participant action, or an event internal to the CMS
2) The CMS evaluates the Case Event through business rules, and determines if a case triage event has occurred which changes the adjudicatory process of the case
3) If a case triage event has occurred, the CMS applies the results of the business rule to the case, and takes appropriate caseflow management action
4) If the Case Event does not affect case triage (and also when triage has occurred), takes appropriate caseflow management action
5) A case manager reviews the results of the triage and caseflow management actions, and
6) If the Case Event causes the case to be resolved, the process ends; otherwise, the CMS waits until another Case Event occurs, which starts the Triage Case Process again.

The numbered bullets are displayed on the Triage Case Process diagram.
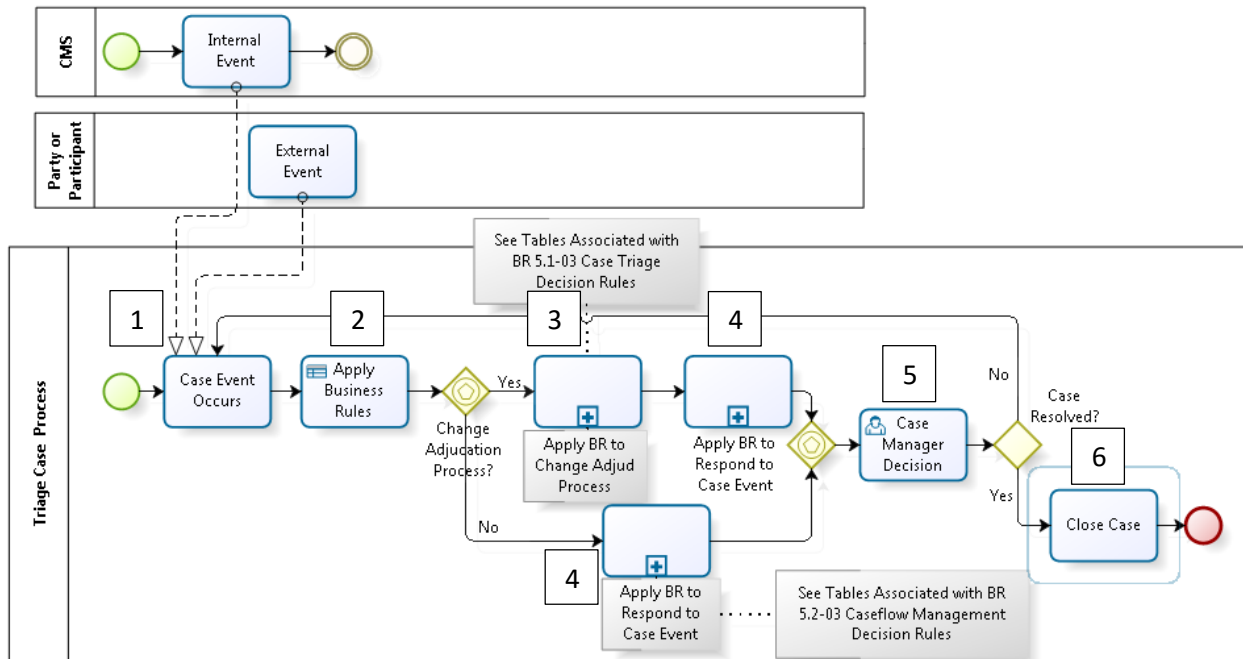
Figure 7. Triage Case Process

These requirements include business rules and the application logic needed to apply them when a Case Event occurs.

b) *Context of the Requirements: Business Capabilities*

These "Automated Triage and Caseflow Management Requirements" are a subset of requirements for a Court/Clerk Case Management System (CMS).

1) Overview of Business Capabilities.

Business capabilities describe what judicial officers, court and clerk staff do as case managers. Business capabilities incorporate the goals and performance objectives of the organization, and are broken down in further detail in detailed business capabilities in a taxonomy tree structure.

In a taxonomy of business capabilities, these requirements are related to business capability #8 "Orchestrate and Optimize Work" in the capability diagram below:

*
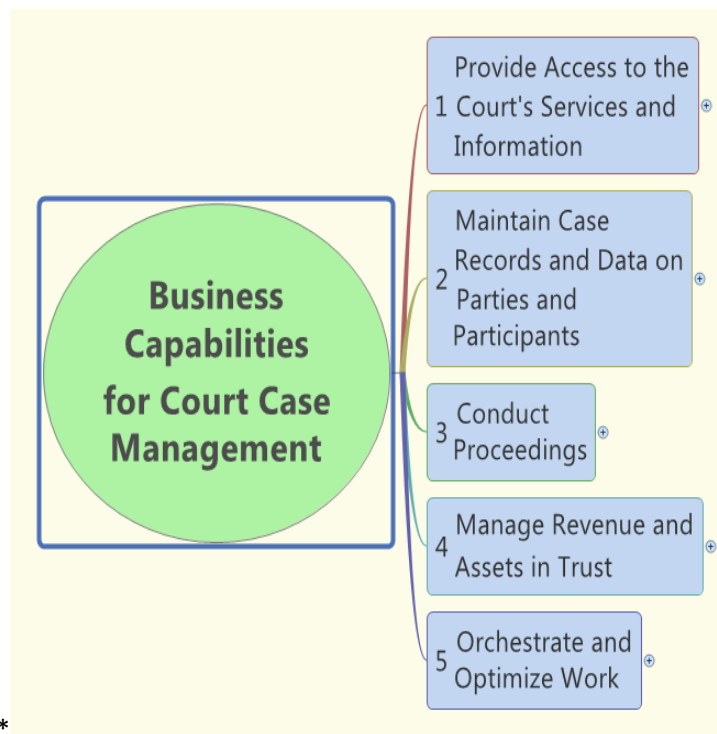
Figure 8. Business Capabilities for Court Case Management

In most current court CMSs, caseflow management and triage are typically achieved, if they are, through manual action of the CMS user according to the knowledge and skill level of the user. After performing the actions, the results of actions are recorded in the CMS manually by the user or automatically as a byproduct of the user action. One goal of these requirements is stating them in a format that facilitates automated performance of caseflow management and triage actions.

2) Types of Requirements

The types of requirements below based on the Court Technology Framework (CTF), primarily of the Business/ Organizational, Applications levels, and Data Management levels.

Associated with "Orchestrate and Optimize Work" business capabilities are requirements for demonstration scenarios, business rules, process activities, reports/ displays, application capabilities and data needs related to detailed business capabilities follow the numbering scheme of the business capabilities. Vendors are to respond to the requirements in the matrix.

Not all sets of functional requirements will contain all kinds of requirements. The most common are Business Capabilities Descriptions, BR Business Rules, RD Reports/ Displays, AC Application Capabilities, and DN Data Needs.

Business/ Organizational	
Business Capabilities Descriptions	Business capabilities describe what courts do in all areas of activity, incorporating the goals and performance objectives of courts, and their organizational and cultural dynamics – describing what a business does, but without identifying how this is accomplished or who does it. Detailed business capabilities describe a more detailed level.
Demonstration Scenarios	A demonstration scenario is a sequence of events that a judge, clerk, or judicial staff will experience when performing a high-level business process. Participant scenarios notify software vendors what activities their CMS should be able to support, and will serve as a script for vendor demos and for product acceptance testing.
BR Business Rules	A business rule is a criterion used to guide day-to-day business activity or calculation, and it specifies decision criteria for carrying out a business process. A jurisdiction's policies are embodied in local or state court rules or statutes, which are its business rules.
PA Process Activities	Process Activities are the steps or activities of a business capability. For some business capabilities, the sequence of Application Capabilities describes the process activities.
RD Reports/ Displays	These requirements are called "Reports/Displays" because they can be printed on paper or displayed on a screen, at the option of the user. Almost all reports are specified for a given date range, and need to be exportable to Excel.
Applications	
AC Application Capabilities	Application capabilities are functions that an application must perform during a business process – how a business capability is accomplished. Vendors will be required to state whether their case management solution has an application capability built into it through configuration, or whether it must be customized.
DE Data Exchanges	Data exchanges mean data and document content imported to and exported from the CMS, either via data exchanges or web service queries.
Data Management	
DN Data Needs	Data elements required by other requirements are identified as data management needs, such as indicator flags, drop-down lists of values, and other kinds of data used by business rules and for reports/ displays.

Figure 9. Types of Requirements

Section 2. 5.0 Orchestrate and Optimize Work

The "Orchestrate and Optimize Work" business capabilities are designated as "Section 5" in the taxonomy of business capabilities in Section 1.b) above, "Context of the Requirements: Business Capabilities."
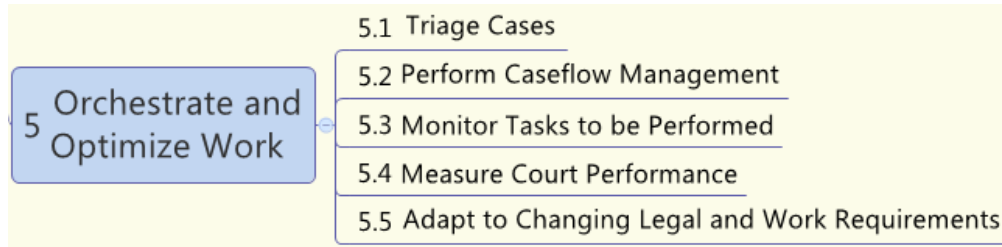
Figure 10. Mind Map of "Orchestrate and Optimize Work" Business Capabilities

5.1 Triage Cases

Business Capability Description
Judges and other case managers perform case triage which places cases in different case-processing tracks based on case issues and other characteristics, regardless of case type.

BR 5.1-01 Initial Case Type Triage Assignment
The petitioner must identify the case type at the time of filing, which causes initial assignment to an Adjudicatory Process until the next Case Event which may alter the assignment.

Table 5.1-01 Initial Case Triage Based on Case Type

Case type (characterized as Expedited/ Streamlined, Standard or Complex), determines the initial assignment of a case to an adjudicatory process.

Case Type	Adjudicatory Process Initially Assigned

1. Civil (Expedited/ Streamlined)
   a) Debt Collection
   b) Landlord/ Tenant
   c) Mortgage Foreclosure
   d) Automobile Tort
   e) Intentional Tort
   f) Premises Liability
   g) Insurance Coverage Claims from Cases Described Above
   h) Other Tort
   i) Buyer Plaintiff
   j) Other Contract
   k) Small Claims
   l) Administrative Appeals
   m) All other claims not assigned to General or Complex Pathways
	Expedited Disposition

2. Civil (Standard)
   a) Tort claims with substantial injury or damages
   b) Contract claims with substantial damages
	Expedited Disposition

Case Type	Adjudicatory Process Initially Assigned
c) Medical/professional malpractice d) Employment claims	

3. Civil (Complex)
   a) Mass torts
   b) Securities litigation
   c) Construction defect
   d) Class actions
   e) Environmental/toxic tort
   f) Antitrust
	Full Adversary

BR 5.1-02   Triage Case States

A Case Event affects the Triage Case State, which may change the Adjudicatory Process to which the case is assigned.

Table 5.1-02 Triage Case States (alphabetical list)

A Triage Case States is the result of applying a Decision Rule (see **Table 5.1-03 Case Triage Decision Rules Based on Case Event**). Some Triage Case States are marked with a default value of "Expedited Dispositional Process," and others are marked by the CMS as they occur.

1. Adjudicatory Process Assigned per Case Type (default value)
2. ADR Resolution Accepted
3. ADR Resolution Contested
4. Amount in Controversy < $X Threshold Parameter (default value)
5. Amount in Controversy >= $X Threshold Parameter
6. Case Not Trial-Worthy (default value)
7. Case Trial-Worthy
8. Case Type (Initial Adjudicatory Process Assigned – see Table 5.1-01 "Initial Case Type Triage Assignment Based on Case Type")
9. High Profile Status
10. Issues are Joined
11. Jury Demand Filed
12. No Jury Demand (default value)
13. No High Profile Status
14. No Responsive Pleading (default value)
15. Number of Parties Identified < Y Threshold Parameter (default value)
16. Number of Parties Identified >= Y Threshold Parameter
17. Number of Witnesses Exceeds Threshold Parameter
18. Number of Witnesses Not Exceed Threshold Parameter (default value)
19. Return of Service Not Filed (default value)
20. Return of Service Filed

BR 5.1-03   Case Triage Rules for Responding to Case Events
A set of Decision Rules uses Case Event types to determine which adjudicatory process the case is assigned to.

Table 5.1-03 Case Triage Decision Rules Based on Case Event

The table contains a set of Decision Rules, such that a Case Event may change the initial adjudicatory process assigned to Expedited Dispositional Process or to Full Adversary Process; or a Case Event may not affect the adjudicatory process assigned. Case Event types are listed in chronological order as a matter of reference.

Expedited Case Types (see Table 5.1-01 Initial Case Triage Based on Case Type)

Case Event	Triage Case State Recorded	Adjudicatory Process Assigned
1. Initiating Event: Filing of Petition	Adjudicatory Process Assigned Per Case Type (default value)	See Table 5.1-01 "Initial Case Type Triage Assignment Based on Case Type"
2. Service of Summons	Return of Service Not Filed (default value)	No Change in Process Type
	Return of Service Filed	No Change in Process Type
3. Filing of Responsive Pleading	No Responsive Pleading (default value)	No Change in Process Type
	Issues Are Joined	No Change in Process Type
4. Scheduling/ Status/Pretrial Conference Held	Case Not Trial-Worthy (default value)	Expedited Dispositional Process
	Case Trial-Worthy	Full Adversary Process
5. Start of Trial	Number of Witnesses Not Exceed Threshold Parameter (default value)	No Change in Process Type
	Number of Witnesses Exceeds Threshold Parameter	Full Adversary Process

Standard and Complex Case Types (see Table 5.1-01 Initial Case Triage Based on Case Type)

Case Event	Triage Case State Recorded	Adjudicatory Process Assigned
1. Initiating Event: Filing of Petition	Adjudicatory Process Assigned per Case Type (default value)	No Change in Process Type
	Amount in Controversy Does Not Exceed Threshold Parameter (default value)	No Change in Process Type
	Amount in Controversy Exceeds Threshold Parameter	Full Adversary Process
	Number of Parties Identified Does Not Exceed Threshold Parameter (default value)	No Change in Process Type

Case Event	Triage Case State Recorded	Adjudicatory Process Assigned
	Number of Parties Identified Exceeds Threshold Parameter	Full Adversary Process
2. Service of Summons	Return of Service Not Filed (default value)	Expedited Dispositional Process
	Return of Service Filed	Full Adversary Process
3. Filing of Responsive Pleading, including Answer, Counter-Claim, Cross-Claim, Third Party Claim, Affirmative Defense	No Responsive Pleading (default value)	Expedited Dispositional Process
	Issues are Joined	Full Adversary Process
4. Jury Demand Filed	No Jury Demand (default value)	No Change in Process Type
	Jury Demand Filed	Full Adversary Process
5. Scheduling/ Status/Pretrial Conference Held	Case Not Trial-Worthy (default value)	No Change in Process Type
	Case Trial-Worthy	Full Adversary Process
6. Order for ADR Arbitration/ Mediation	ADR Resolution Accepted	No Change in Process Type
	ADR Resolution Contested	Full Adversary Process
7. Acknowledgment of High Profile Status	No High Profile Status	No Change in Process Type
	High Profile Status	Full Adversary Process
8. Start of Trial	Number of Witnesses Does Not Exceed Threshold Parameter (default value)	No Change in Process Type
	Number of Witnesses Exceeds Threshold Parameter	Full Adversary Process

BR 5.1-04   Case Triage Parameters Set by Case Events

Local court rules or practices of individual judicial officers determine the outcome of triage based on number of witnesses, amount in controversy, and number of parties.

Table 5.1-04 Case Triage Parameters

Values of parameters used by a jurisdiction will result from experience with the number of witnesses, amount in controversy, and number of parties, in triaging a case from an initial Adjudicatory Process of Expedited to one of Full Adversary Process. No prototype values are suggested.

Purpose of Parameter	Parameter Name	Value
Number of Witnesses Threshold Parameter - the value that defines the transition between Expedited and Standard/ Complex Adjudicatory Process.	NumberOfWitnesses.Parameter	TBD
Amount in Controversy Threshold Parameter - the value that defines the transition between Expedited and Standard/ Complex case types.	AmountInControversy.Parameter	TBD

	Number of Parties Identified Threshold Parameter - the value that defines the transition between Expedited and Standard/ Complex Adjudicatory Process.	NumberOfParties.Parameter	TBD

Table 5.1-05 Case Triage Functional Requirements

Req. #	Requirement
RD 5.1-01	Case Triage Assignment Report/ Display. For a date range and a selection of cases – by case type/ subtype, judge, division, court-wide - show graphically the proportion of cases assigned to each Adjudicatory Process (a) initially, (b) later reassignment.
RD 5.1-02	Case Track Report by Judge and Case Type. For a date range, a list of cases by judge and case type in a case track.
RD 5.1-03	Case Track Report by Track. For a date range, a list of cases in a case track, by judge and case type.
RD 5.1-04	Case Triage CourTool Performance Measure 2 Clearance Rate Report/ Display. For a date range and a selection of cases – by case type/ subtype, judge, division, court-wide – show a summary of clearance rates: number of outgoing cases as a percentage of the number of incoming cases.
RD 5.1-05	Case Triage CourTool Performance Measure 3 Timeliness of Case Disposition Report/ Display. For a date range and a selection of cases – by case type/ subtype, judge, division, court-wide – show a summary of the timeliness of case disposition: percentage of cases disposed within the established time frames.
RD 5.1-06	Case Triage CourTool Performance Measure 4 Age of Pending Caseload Report/ Display. For a date range and a selection of cases – by case type/ subtype, judge, division, court-wide – show a summary of the age of the active pending caseload, measured as the number of days out from filing until the time of measurement.
RD 5.1-07	Track Changes Report. By division, For a date range, display the frequency of cases changing tracks: from a faster track to a track with longer milestones; from a slower track to a track with shorter milestones.
AC 5.1-01	Initialize Automated Triage of a Case. Apply the decision rules of **Table 5.1-01 Initial Case Triage Based on Case Type**, and apply the corresponding Adjudicatory Process, if appropriate, and record the resulting Case State.
AC 5.1-01	Perform Automated Triage of a Case. Apply the decision rules in **Table 5.1-03 Case Triage Based on Case Event**, and apply the corresponding Process Steps to change the adjudicatory process, if appropriate, and record the resulting Case State.
AC 5.1-02	Manually Assign Case to an Adjudicatory Process Track. Enable the user to manually set the Adjudicatory Process Track Assignment: (Dropdown: Expedited, Full Adversary).
AC 5.1-03	Notify Parties of an Adjudicatory Process Track Assignment. Generate notice of an Adjudicatory Process Track Assignment, for e-service, printing and/or emailing.
AC 5.1-04	Case/ Person Adjudicatory Process Track Alerts. Display the adjudicatory process status when the case or person record is displayed.
AC 5.1-	Ad Hoc Report Generator. Provide a report generator so simple that users can

Req. #	Requirement
05	prepare their own reports.
AC 5.1-06	Scheduling Reporting. Allow scheduling of when a report is to run.
AC 5.1-07	Provide key performance metrics in the form of dashboard plug-ins that can be customized to the needs of individual users. Judges and court/clerk managers may want to view CourTools measures; other staff may be more interested in performance metrics for their own organizational units.
DN 5.1-01	Case Triage States. For each case create **Table 5.1-02 Case Triage State** to record the Case State, with the Date/Time of the new Case State.

5.2   Perform Caseflow Management

Business Capability Description

Judges and other case managers use caseflow management principles (including monitoring compliance of cases with track deadlines), to evaluate caseflow management performance and bring a case to its most efficient, effective and just resolution. For an individual case they track the "state" (condition) of the case and of its parties, and use the Case State to guide or determine the action they take in the case.

For aggregate court performance management they use CourTool performance measures and other measures based on standards, and take corrective action as needed. (See **5.4 Measure Court Performance**.)

Certain activities related to caseflow management are not represented in the Caseflow Management Decision Rules. The following actions are recorded by the courtroom clerk with a minute entry event code:

- Oral motion in court (such as a request to extend time for service of the petition and summons), including an order deciding an oral motion
- An order (submitted in writing by counsel, created by the court, or generated by an automated process) approved by a judicial officer, and issued by the clerk

Business Rules

BR 5.2-01   Case Events Affecting Caseflow Management

The business rules are separated by phase of the case in this section for context. In the following table, redundancies are eliminated, e.g., the Case Event Case Management Conference (CMC) is listed once, whether it occurs during the case lifecycle as an initial, interim or final CMC.

Table 5.2-01 Caseflow Management Decision Rules

Columns of Case Event-Response Decision Rules
    Column 1: "Case Event" is the specific Case Event which is the subject of the tabular business rule.
    Column 2: "Process Steps" lists the automated and human task steps which are the response to the
        Case Event.

Column 3: "Case State Recorded" identifies the Case State triggered by the Case Event, and whether a tickler has been generated.

Column 4: "Work Queue" identifies the type of participant responsible for receiving a work item, either human or automation. Staff makes a caseflow management decision for the type of Case Event which has occurred.

Process Work Queue Key:
a. HR1: Administrative/ Clerical Staff
b. HR2: Case Manager, Paralegal, Staff Attorney, Mediator, Arbitrator
c. Judicial Officer
d. System Tickler

Case Event	Process Steps	Case State Recorded	Work Queue
Pleading Stage of the Case			
1. Petition Filed	A. Record Case State and Date/ Time Filed B. Generate summons if not present C. Queue to review petition and summons	Petition Filed	HR1 (review petition and summons)
2. Summons Issued for Named Defendant(s) by HR1	A. Record Case State and Date/ Time Issued B. Generate tickler to monitor Service of Summons on Defendant (NonServiceOfSummons.Tickler, e.g. 30 days out after summons issued)	1) Summons Issued 2) Service of Summons tickler set: NonServiceOfSummons.Tickler	System Tickler
3. Representation Identified	A. Record Case State and Date/ Time Identified B. Queue review of need to assign counsel	Representation State Set: 1) Self-Represented 2) Attorney-Represented 3) Unrepresented	HR2 (review need to assign counsel) Judicial Officer (appoint counsel)
4. Pleading Attachments Identified	A. Determine if required Pleading Attachments present B. No Action: Attachments filed, or C. Action: Attachments Not Filed. (1) Queue review and generate Pleading Compliance Order with Deadline (Parameter: DateForNonComplianceWithPleadingComplianceOrder.Parameter, e.g. 21 days out after Pleading filing) (2) Generate Order Setting Hearing on Pleading Compliance Order	[If required Pleading Attachments present:] Pleading Filing Complete [If required Pleading Attachments not present:] Pleading Compliance Hearing Date set: DateForNonComplianceWithPleadingComplianceOrder.Parameter	HR2 (issue Order Setting Hearing) Judicial Officer (sign Order Setting Hearing)

Case Event	Process Steps	Case State Recorded	Work Queue
	(3) If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy		
5. Pleading Compliance Order Satisfied	A. Record Case State and Date/ Time Filed B. Cancel hearing on calendar: NonComplianceWithPleadingComplianceOrder	[If required Pleading Attachments filed:] Pleading Compliance Order Satisfied	HR1 (confirm compliance)
6. Non-Compliance with Pleading Compliance Order	A. Record Case State and Date/ Time if time limit passed for Pleading Compliance Order when tickler is activated: NonComplianceWithPleadingComplianceOrder.Tickler B. Queue review for Sanctions for Non-Compliance C. Generate Sanctions for Pleading Non-Compliance Order D. Remove tickler NonComplianceWithPleadingComplianceOrder.Tickler	[If required Pleading Attachments not present:] Pleading Compliance Order Sanctions	HR1 (confirm non-compliance) HR2 (review sanctions) Judicial Officer (decide to Issue Sanctions for Non-Compliance Order) System Tickler
7. Return of Service of Pleading and Summons Filed	A. Record Case State and Date/ Time Filed B. Remove NonServiceOfSummons.Tickler C. Generate tickler to monitor filing of Answer of Defendant (DefendantDefault.Tickler, e.g. 30 days out after return of service).	1) Return of Service of Petition Filed, or 2) Tickler set for Due Date of Answer: DefendantDefault.Tickler	System Tickler
8. Non-Service of Pleading and Summons (For Motion to Extend Service Period, see #13 Pleading Motion Filed)	A. Record Case State "Eligible for Dismissal for Non-Service of Summons" and Date/ Time if time limit passed for service of pleading and summons when tickler is activated: NonServiceOfSummons.Tickler B. Queue review for Dismissal for Non-Service of Summons C. Generate Dismissal for Non-Service of Summons Order D. Remove tickler NonServiceOfSummons.Tickler	Eligible for Dismissal for Non-Service of Summons	HR1 (confirm non-service) HR2 (review dismissal order) Judicial Officer (decide to Dismiss for Non-Service of Summons or extend time)
9. Motion for Service by Publication Filed with Affidavit of Diligent Search	A. Record Case State and Date/ Time Filed B. Generate tickler to monitor service by publication:	Service by Publication Requested	System Tickler

Case Event	Process Steps	Case State Recorded	Work Queue
	(CompleteServiceByPublication.Tickler, e.g. 30 days out after service by publication is authorized)		
10. Return of Service by Publication	A. Record Case State and Date/ Time Filed [Definition: Service by Publication complete on the date of the last publication] B. Remove tickler CompleteServiceByPublication.Tickler	Service by Publication Completed	HR1 (confirm service)
11. Non-Service by Publication	A. Record Case State and Date/ Time if time limit passed for Service by Publication when tickler is activated: CompleteServiceByPublication.Tickler B. Queue review for Dismissal for Non-Service by Publication C. Generate Dismissal for Non-Service by Publication Order D. Remove tickler CompleteServiceByPublication.Tickler	Eligible for Dismissal for Non-Service by Publication	HR1 (confirm non-service) HR2 (review dismissal order) Judicial Officer (decide to Dismiss for Non-Service by Publication or extend time)
12. Motion for Default Judgment Filed with Affidavit	A. Record Case State and Date/ Time if time limit passed for filing of answer when tickler is activated: DefendantDefault.Tickler. B. Queue review for entry of default judgment C. Generate Judgment of Default D. Remove tickler DefendantDefault.Tickler	No Answer Filed	HR1 (check if affidavit filed) HR2 (review dismissal order) Judicial Officer (enter default judgment according to discretion)
13. Answer Filed	A. Record Case State and Date/ Time of answer filed B. Remove tickler DefendantDefault.Tickler C. Generate scheduling order (see **Table 5.2-02 Scheduling Order Caseflow Management Milestones by Adjudicatory Process**) D. Generate tickler to monitor agreement of parties to proposed scheduling order (AgreementOfParties.Tickler, court-specified value, e.g., 14 days out).Queue to staff for	1) Answer Filed 2) Tickler set AgreementOfParties.Tickler	HR2 (set up meet-and-confer on scheduling order) Judicial Officer (Decision to Issue Scheduling Order

Case Event	Process Steps	Case State Recorded	Work Queue
	transmission to obtain agreement of parties to the scheduling order E.		
14. Agreement of Parties to Scheduling Order Filed	A. Record Case State and Date/ Time Filed B. Issue Scheduling Order and Date/ Time Issued C. Remove tickler AgreementOfParties.Tickler	1) Parties Agreed to Scheduling Order 2) Scheduling Order Issued	Judicial Officer (sign scheduling order) HR1 (issue scheduling order)
15. No Agreement by Parties on Scheduling Order	A. Record Case State and Date/ Time if time limit passed for filing of answer when tickler is activated: AgreementOfParties.Tickler. B. Queue review for entry of scheduling order C. Generate Order for Hearing on Scheduling Order D. Remove tickler AgreementOfParties.Tickler	No Agreement by Parties on Scheduling Order	HR2 (set up meet-and-confer on scheduling order) HR1 (issue order for Hearing on Scheduling Order)
16. Pleading Motion Filed (e.g., to Extend Time for Service, Set Aside Default, Quash Service, Change Jurisdiction/ Venue/ Service of Process, Failure to State a Claim or Join a Party, For more Definite Statement, Substitution of Parties, Adding/ Dropping Parties, Strike Affirmative Defense	A. Record Case State and Date/ Time Filed B. Schedule hearing (Parameter: DateForSettingPleadingMotion.Parameter, e.g., 14 days out) C. Generate Order Setting Hearing D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Pleading Motion Filed 2) Hearing Scheduled on Pleading Motion DateForSettingPleadingMotion. Parameter	HR1 (send paper copy of order issued for hearing) Judicial Officer (sign Order Setting Hearing)
17. Pleading Motion Attachments Identified	A. Determine if required motion attachments present B. No Action: Attachments filed, or C. Action: (1) Queue review and generate Motion Compliance Order with Deadline (DateForNonComplianceWithMotionComplianceOrder.Parameter, e.g. 21 days out after motion filing)	[If required motion attachments present:] Motion Filing Complete [If required motion attachments not present:] Motion Compliance Hearing Date set: DateForNonComplianceWithMotionCom	HR2 (issue Order Setting Hearing) Judicial Officer (sign Order Setting Hearing)

Case Event	Process Steps	Case State Recorded	Work Queue
	(2) Generate order setting hearing on Motion Compliance Order (3) If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	plianceOrder.Param eter	
18. Pleading Motion Compliance Order Satisfied	A. Record Case State and Date/ Time Filed B. Cancel hearing on calendar: DateForNonComplianceWithMo tionComplianceOrder.Parameter	[If required motion attachments filed:] Motion Compliance Order Satisfied	HR1 (confirm compliance)
19. Non-Compliance with Pleading Motion Compliance Order	A. Calculate if time limit passed for filing of Motion Compliance Order when tickler is activated: DateForNonComplianceWithMo tionComplianceOrder.Tickler B. Queue review for Sanctions for Non-Compliance C. Issue Sanctions for Motion Non-Compliance Order D. Remove tickler DateForNonComplianceWithMo tionComplianceOrder.Tickler	[If required motion attachments not present:] Motion Compliance Order Sanctions	HR1 (confirm non-compliance) HR2 (review sanctions) Judicial Officer (decide to Issue Sanctions for Non-Compliance Order)
20. Motion to Dismiss (Involuntary Dismissal) Filed	A. Record Case State and Date/ Time Filed B. Schedule hearing (Parameter: DateForSettingMotionHearing.P arameter, e.g., 14 days out) C. Generate Order Setting Hearing D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Motion to Dismiss Filed 2) Hearing Scheduled on Motion DateForSettingM otionHearing	Judicial Officer (sign order setting hearing) HR1 (issue order setting hearing)
21. Amended or Supplemental Pleading Filed; or Counter-Claim, Crossclaim, or Third-Party Claim Filed; or Affirmative Defense Filed	A. Record Case State and Date/ Time Filed B. Generate tickler to monitor no timely response (ServiceOfAdditionalPleading.Tic kler, e.g., 21 days out). C. Queue for review if no timely response	1) Amended or Supplemental Petition/ Pleading Initiated 2) Tickler set ServiceOfAdditio nalPleading.Tickl er	System Tickler
22. Return of Service of Amended or Supplemental Pleading Filed; or Counter-Claim, Crossclaim, or Third-Party Claim Filed; or Affirmative Defense Filed	A. Record Case State and Date/ Time Filed B. Remove ServiceOfAdditionalPleading.Tick ler C. Generate tickler to monitor Answer to additional pleading (DefaultOnAdditionalPleading.Ti	1) Return of Service of Amended Petition Filed 2) Tickler set DefaultOnAdditi onalPleading.Tic kler	HR1 (confirm service) System Tickler

Case Event	Process Steps	Case State Recorded	Work Queue
	ckler, e.g. 30 days out after return of service).		
23. Answer to Amended or Supplemental Pleading Filed; or Counter-Claim, Crossclaim, or Third-Party Claim Filed; or Affirmative Defense Filed (Next event is #14: Agreement of Parties to Scheduling Order Filed)	A. Record Case State and Date/ Time Filed B. Remove tickler DefaultOnAdditionalPleading.Tickler C. Generate scheduling order (see **Table 5.2-02 Scheduling Order Caseflow Management Milestones by Adjudicatory Process**) D. Queue to staff for transmission to obtain agreement of parties to the scheduling order E. Generate tickler to monitor agreement of parties to proposed scheduling order (AgreementOfParties.Tickler, court-specified value, e.g., 14 days out).	1) Answer or Opposing Claim Filed 2) Scheduling Order Issued 3) Set up tickler AgreementOfParties.Tickler	HR2 (set up meet-and-confer on scheduling order) Judicial Officer (Decision to Issue Scheduling Order) System Tickler
24. Order to Reply Filed	A. Record Case State and Date/ Time Filed B. Generate tickler to monitor no timely reply (ReplyToAnswerAfterOrderToReply.Tickler, e.g. 21 days out after date of the order to reply). C. Queue for review if no timely response	1) Order to Reply Filed 2) Tickler set up for ReplyToAnswerAfterOrderToReply.Tickler	System Tickler
25. Ordered Reply Filed	A. Record Case State and Date/ Time Filed B. Remove ReplyToAnswerAfterOrderToReply.Tickler	Ordered Reply Filed	
26. Ordered Reply Not Filed	A. Record Case State "Claim Eligible for Dismissal for Non-Reply" and Date/ Time if time limit passed for order to reply when tickler is activated: ReplyToAnswerAfterOrderToReply.Tickler B. Queue review for Dismissal of Claim C. Generate Dismissal for Non-Reply to Claim D. Remove tickler ReplyToAnswerAfterOrderToReply.Tickler	Claim Eligible for Dismissal for Non-Reply to Claim	HR1 (confirm non-reply) HR2 (review dismissal order) Judicial Officer (decide to Dismiss for Non-Reply to Claim)

Case Event	Process Steps	Case State Recorded	Work Queue
27. Motion for Judgment on the Pleadings	A. Record Case State and Date/Time Filed B. Schedule hearing (Parameter: DateForSettingJudgment OnPleadingsMotion.Parameter, e.g., 14 days out) C. Generate Order Setting Hearing D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Motion for Judgment on the Pleadings Filed 2) Hearing Scheduled on Motion for Judgment on the Pleadings DateForSettingJudgment OnPleadingsMotion.Parameter	HR1 (send paper copy of order issued for hearing)
28. Motion for Temporary Restraining Order	A. Record Case State and Date/Time Filed B. Determine if motion attachments are present (proposed order, supporting affidavit or brief) C. Queue for review of TRO	Motion Filed for Temporary Restraining Order Filed	HR2 (review motion attachments) Judicial Officer (ex parte review, set motion hearing or briefing schedule)
29. Motion to Extend TRO or for Injunction/to Dissolve Injunction	A. Record Case State and Date/Time Filed B. Determine if motion attachments are present (proposed order, optional supporting affidavit or brief) C. Generate order scheduling motion hearing. D. Queue for review of order scheduling motion hearing	Motion Filed to Extend TRO or for Injunction/to Dissolve Injunction Filed	HR2 (review motion attachments) Judicial Officer (ex parte review, set motion hearing or briefing schedule)
30. **Case Management Conference (CMC) Held** (e.g., Initial, Interim, Final) (for Non-compliance see #34 Non-Response to Notice of Service of Discovery)	A. Record Case State and Date/Time Filed B. Generate blank proposed CMC order from template C. Queue for review and issuance of Case Management Order with next events and ticklers	Case Management Conference Held	Judicial Officer (finalize CMC Order) HR1 (issue order, enter ticklers)
31. Motion for Extension of Time Filed	A. Record Case State and Date/Time Filed B. Queue for review by judicial officer (Presumably agreed to by attorneys)	Motion for Extension of Time Filed	Judicial Officer (finalize order) HR1 (Issue order)
Discovery Stage of the Case			
32. Notice of Service of Discovery Request Filed (e.g., Interrogatories, Request for	A. Record Case State and Date/Time Filed B. Generate an ID for the discovery request to match to response if/	Notice of Service of Discovery Request Filed	System Tickler

Case Event	Process Steps	Case State Recorded	Work Queue
Production, Request for Admission, Fact Witnesses, Required Medical Examination, Experts)	when filed, and notify parties to use the ID on documents C. Generate tickler to monitor no timely discovery activity (DateForDiscoveryResponse.Tickler, e.g., 45 days out). D. Queue for review if no timely response		
33. Notice of Response to Discovery Filed	A. Record Case State and Date/ Time Filed B. Determine if the ID of the response to discovery matches the service of discovery request and make matching entry in register of actions C. Remove tickler DateForDiscoveryResponse.Tickler	1) Notice of Response to Discovery Filed 2) Tickler set DateForDiscoveryResponse.Tickler	HR1 (confirm ID of request and response ID match)
34. Non-Response to Notice of Service of Discovery	A. Use date of Notice of Service of Discovery to calculate if time limit passed for Notice of Response to Discovery when tickler is activated (DateForDiscoveryResponse.Tickler, e.g. 60 days out) B. Record Case State and Date/ Time non-response discovered C. Schedule hearing on Discovery Issues (Parameter: DateForSettingDiscoveryNonResponse.Parameter, e.g., 14 days out) D. Generate Order Setting Hearing for Non-Response to Discovery E. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Non-Response to Notice of Service of Discovery 2) Date set for Hearing on Discovery Issues DateForSettingDiscoveryNonResponse.Parameter	HR1 (if issue paper order)
35. Discovery Motion to Compel Filed (e.g., Disclosure, Reports, Depositions: Fact Witnesses, Required Medical Examination, Experts)	A. Record Case State and Date/ Time Filed B. Schedule hearing (DateForSettingDiscoveryMotion.Parameter, e.g., 14 days out) C. Generate Order Setting Hearing D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Discovery Motion Filed 2) Hearing Scheduled on Discovery Motion DateForSettingDiscoveryMotion.Parameter	HR1 (if issue paper order)
36. Proposed Electronically Stored	A. Record Case State and Date/ Time Filed	Proposed ESI Order Filed	Judicial Officer (finalize order)

Case Event	Process Steps	Case State Recorded	Work Queue
Information (ESI) Order Filed	B. Queue for review by judicial officer (Presumably agreed to by attorneys)		HR1 (Issue order)
37. Proposed Confidentiality Order Filed	A. Record Case State and Date/ Time Filed B. Queue for review by judicial officer (Presumably agreed to by attorneys)	Proposed Confidentiality Order Filed	Judicial Officer (finalize order) HR1 (Issue order)
38. Discovery Motion Attachments Identified and Attached (e.g., Proposed Order, Expedited Motion Attachment, Meet & Confer Certificate)	A. Determine if required Discovery attachments present B. If Attachments filed, Record Case State and Date/ Time Filed	Discovery Filing Complete	HR1 (confirm if required Discovery attachments present)
39. Discovery Motion Attachments Not Attached (e.g., Proposed Order, Expedited Motion Attachment, Meet & Confer Certificate)	A. Determine if required Discovery Motion attachments present B. Record Case State and Date/ Time Filed C. Generate Order Setting Hearing for Discovery Motion Compliance Order (Parameter: DateForNonComplianceWithDiscovery ComplianceOrder.Parameter, e.g. 14 days out after Discovery Motion filing) D. Queue for review of Discovery Compliance Order and later signature by judicial officer	1) Discovery Compliance Order Issued 2) Scheduled Hearing on Compliance Order DateForNonCompli anceWithDisc overyCompliance Order.Parameter	HR1 (review order) Judicial Officer (sign Order Setting Hearing)
40. Discovery Compliance Order Satisfied	A. Record Case State and Date/ Time Filed B. Remove tickler DateForNonComplianceWithDisc overyComplianceOrder.Tickler	Discovery Compliance Order Satisfied	N/A
41. Motion for Summary Judgment Filed Motion for Summary Judgment Filed – Supporting Evidence and Briefs Not Attached	A. Record Case State and Date/ Time Filed B. Determine if required Summary Judgment attachments present C. If attachments present, schedule hearing (DateForSettingSummaryJudgm entMotion.Parameter, e.g., 21 days out) D. Generate Order Setting Hearing with briefing schedule	1) Summary Judgment Filing Complete 2) Hearing Scheduled on Summary Judgment Motion DateForSettingS ummaryJudgmen tMotion.Paramet er	HR1 (if issue paper order) Judicial Officer (sign Order Setting Hearing)

Case Event	Process Steps	Case State Recorded	Work Queue
	E. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy		
42. Motion for Summary Judgment Filed – Supporting Evidence and Briefs <u>Not</u> Attached	A. Record Case State and Date/ Time Filed B. Determine if required Summary Judgment attachments present C. Generate Summary Judgment Compliance Order with Deadline D. Generate tickler to monitor Summary Judgment Compliance Order (NonComplianceWithSummaryJudgmentComplianceOrder.Tickler, e.g. 14 days out after Summary Judgment filing E. Generate Order Setting Hearing F. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Summary Judgment Compliance Order Issued 2) Compliance Date Tickler Hearing Set NonCompliance WithSummaryJudgmentComplianceOrder.Tickler	HR1 (if issue paper order) Judicial Officer (sign Order Setting Hearing) System Tickler
43. Summary Judgment Compliance Order Satisfied	A. Record Case State and Date/ Time Filed B. Remove tickler NonComplianceWithSummaryJudgmentComplianceOrder.Tickler	Summary Judgment Compliance Order Satisfied	N/A
44. Response to Motion for Summary Judgment Filed	A. Record Case State and Date/ Time Filed B. Queue to Judicial Officer for review	Response to Motion for Summary Judgment Filed	Judicial Officer
45. Ex Parte Motion Filed with Proposed Order	A. Record Case State and Date/ Time Filed B. Queue for review by judicial officer	Ex Parte Motion Filed	Judicial Officer (finalize order) HR1 (Issue order)
Pretrial/ Trial Stage of the Case			
46. Dismissal Filed	A. Record Case State and Date/ Time Filed B. Remove all remaining ticklers	Dismissal Filed	HR2
47. Interim Case Management (ICM) Conference Held	See #30 **Case Management Conference (CMC) Held**	See #30	See #30
48. Motion for Mediation Filed	A. Record Case State and Date/ Time Filed B. Generate tickler to monitor completion of mediation (CompletingMediation.Tickler, e.g., 30 days out). C. Generate Order for Mediation	1) Motion for Mediation Filed 2) Tickler set for mediation deadline CompletingMediation.Tickler	HR2 (review if mediation appropriate) HR1 (if paper order to be served)

Case Event	Process Steps	Case State Recorded	Work Queue
	D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy		Judicial Officer (sign order) System Tickler
49. Mediation Report Filed	A. Record Case State and Date/ Time Filed B. Remove tickler CompletingMediation.Tickler	Mediation Report Filed	HR2, Judicial Officer
50. Mediation Report Not Filed	A. Determine if time when tickler is activated for mediation report to be filed (CompletingMediation.Tickler) B. Record Case State and Date/ Time non-response discovered C. Schedule hearing on Mediation Issues (Parameter: DateForMediationNonResponse. Parameter, e.g., 14 days out) D. Generate Order Setting Hearing for Non-Response to Mediation E. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Mediation Report Not Filed 2) Hearing Scheduled on Mediation Report DateForMediatio nNonResponse.P arameter	HR1 (if paper order to be served) Judicial Officer (sign order) System Tickler
51. Referral of Motion to Magistrate Filed	A. Record Case State and Date/ Time Filed B. Generate tickler to monitor completion of Referral to Magistrate (CompletingMagistrateReferral.T ickler, e.g., 14 days out). C. Generate Order for Referral of Motion to Magistrate D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Referral of Motion to Magistrate Filed 2) Tickler set for referral to magistrate CompletingMagis trateReferral.Tick ler set	HR1 (if paper order to be served) Judicial Officer (sign order) System Tickler
52. Objection to Referral of Motion to Magistrate Filed	A. Record Case State and Date/ Time Filed B. Queue to judicial officer to review C. Remove tickler CompletingMagistrateReferral.Ti ckler	Objection to Referral of Motion to Magistrate Filed	Judicial Officer
53. Magistrate Report Filed	A. Record Case State and Date/ Time Filed B. Queue Magistrate Report to judicial officer C. Remove tickler CompletingMagistrateReferral.Ti ckler	Mediation Report Filed	HR2, Judicial Officer

Case Event	Process Steps	Case State Recorded	Work Queue
54. Magistrate Report Not Filed	A. Determine if time limit passed for referral of a motion to a magistrate when tickler is activated (CompletingMagistrateReferral.Tickler) B. Record Case State and Date/ Time the magistrate report non-response discovered C. Schedule hearing on Magistrate Report (DateForMagistrateNonReport.Parameter, e.g., 30 days out) D. Generate Order Setting Hearing for Non-Filing of Magistrate Report E. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Mediation Report Not Filed 2) Hearing Scheduled on Magistrate Report DateForMagistrateNonReport.Parameter	HR1 (if paper order to be served) Judicial Officer (sign order) System Tickler
55. Motion to Withdraw/ Substitute Counsel	A. Record Case State and Date/ Time Filed B. Schedule hearing (DateForSettingHearingWithdraw CounselMotion.Parameter, e.g., 14 days out) C. Generate Order Setting Hearing D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Motion Withdraw/ Substitute Counsel Filed 2) Hearing Scheduled on Motion to Withdraw/ Substitute Counsel DateForSettingHearingWithdraw CounselMotion.Parameter	HR1 (if paper order to be served) Judicial Officer (sign order)
56. Motion Directed at/ Notice of Lack of Prosecution (Inactivity)	A. Record Case State and Date/ Time Filed B. Schedule hearing on Motion/ Notice of Lack of Prosecution (DateForSettingHearingLackOfProsecution.Parameter, e.g., 14 days out) C. Generate Order Setting Hearing on Notice of Lack of Prosecution D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Motion Directed at/Notice of Lack of Prosecution 2) Hearing Scheduled on Motion Directed at/ Notice of Lack of Prosecution DateForSettingHearingLackOfProsecution.Parameter	HR1 (if paper order to be served) Judicial Officer (sign order)
57. Motion to Interplead	A. Record Case State and Date/ Time Filed	1) Motion to Interplead Filed	HR1 (if paper order to be served)

Case Event	Process Steps	Case State Recorded	Work Queue
	B. Schedule hearing on Motion to Interplead (Parameter: DateForHearingOnMotionToInterplead.Parameter, e.g. 21 days out after date of filing). C. Generate Order Setting Hearing on Notice of Lack of Prosecution D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	2) Hearing Scheduled on Motion to Interplead DateForHearingOnMotionToInterplead.Parameter	Judicial Officer (sign order)
58. Motion to Implead	A. Record Case State and Date/ Time Filed B. Schedule hearing on Motion to Implead (Parameter: (DateForHearingOnMotionToImplead.Parameter, e.g. 21 days out after date of filing). C. Generate Order Setting Hearing on Notice of Lack of Prosecution D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Motion to Implead Filed 2) Hearing Scheduled on Motion to Interplead DateForHearingOnMotionToImpleade.Parameter	HR1 (if paper order to be served) Judicial Officer (sign order)
59. Motion to Intervene	A. Record Case State and Date/ Time Filed B. Schedule hearing on Motion to Intervene (DateForHearingOnMotionToIntervene.Parameter, e.g., 14 days out) C. Generate Order Setting Hearing on Notice of Lack of Prosecution D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Motion Intervene Filed 2) Hearing Scheduled on Motion to Intervene DateForHearingOnMotionToIntervene.Parameter	HR1 (if paper order to be served) Judicial Officer (sign order)
60. Motion for Disqualification or to Recuse Judge with or without Required Attachments	A. Record Case State and Date/ Time Filed B. Schedule hearing on Motion for Disqualification or to Recuse Judge (DateForHearingOnMotionToDisqualifyOrRecuse.Parameter, e.g., 14 days out) C. Generate Order Setting Hearing on Motion for Disqualification or to Recuse Judge D. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Motion for Disqualification or to Recuse Judge 2) Hearing Scheduled on Motion for Disqualification or to Recuse DateForHearingOnMotionToDisqualifyOrRecuse.Parameter	HR1 (if paper order to be served) Judicial Officer (sign order)
61. Motions to transfer	See #16 Pleading Motion Filed	See #16	See #16

Case Event	Process Steps	Case State Recorded	Work Queue
62. Remand (federal court, appellate court)	See #16 Pleading Motion Filed	See #16	See #16
63. Final Case Management (FCM) Order	See #30 Case Management Conference (CMC) Held	See #30	See #30
Post-Trial Stage of the Case			
64. Post-Trial Motion Filed-with Attachments Identified and Attached (e.g., for Stay, for Relief, Dismissal/ Notice, Rehearing, for Attorney Fees)	A. Record Case State and Date/ Time Filed B. Determine if required Post-Trial attachments present C. If Attachments filed, Record Case State and Date/ Time Filed	Post-Trial Motion Filing Complete	HR1 (confirm if required Post-Trial attachments present)
65. Post-Trial Motion Filed-with Attachments Not Attached (e.g., for Stay, for Relief, Dismissal/ Notice, Rehearing, for Attorney Fees)	A. Record Case State and Date/ Time Filed B. Generate Post-Trial Motion Compliance Order with Deadline C. Generate tickler to monitor Post-Trial Motion Compliance Order (DateForNonComplianceWithPost-Trial ComplianceOrder.Tickler, e.g. 14 days out after Post-Trial Motion filing) D. Generate Order Setting Hearing E. If E-Filing, perform E-Service; If paper order to be served, queue to clerk to send copy	1) Post-Trial Compliance Order Issued 2) Compliance Date Tickler set DateForNonComplianceWithPost-TrialComplianceOrder.Tickler	HR1 (if issue paper order) Judicial Officer (sign Order Setting Hearing) System Tickler
66. Post Final Motion Compliance Order Satisfied	A. Record Case State and Date/ Time Filed B. Remove tickler DateForNonComplianceWithPost-TrialComplianceOrder.Tickler	Post-Trial Compliance Order Satisfied	N/A

BR 5.2-02   Caseflow Management Case States

A Case Event affects the Triage Case State, which may change the Adjudicatory Process to which the case is assigned.

Table 5.2-02 Caseflow Management Case States (chronological list from Decision Rules)

A Caseflow Management Case State is the result of applying a Decision Rule (see **Table 5.2-01 Caseflow Management Decision Rules**).

1. Petition Filed
2. Summons Issued

3.   Representation State Set
4.   Self-Represented
5.   Attorney-Represented
6.   Unrepresented
7.   Pleading Filing Complete
8.   Pleading Compliance Hearing Date Set
9.   Pleading Compliance Order Satisfied
10. Pleading Compliance Order Sanctions
11. Return of Service of Petition Filed
12. Eligible for Dismissal for Non-Service of Summons
13. Service by Publication Requested
14. Service by Publication Completed
15. Eligible for Dismissal for Non-Service by Publication
16. No Answer Filed
17. Answer Filed
18. Parties Agreed to Scheduling Order
19. Scheduling Order Issued
20. No Agreement by Parties on Scheduling Order
21. Pleading Motion Filed
22. Hearing Scheduled on Pleading Motion
23. Motion Filing Complete
24. Motion Compliance Hearing Date Set
25. Motion Compliance Order Satisfied
26. Motion Compliance Order Sanctions
27. Motion to Dismiss Filed
28. Hearing Scheduled on Motion
29. Amended or Supplemental Petition/ Pleading Initiated
30. Return of Service of Amended Petition Filed
31. Answer or Opposing Claim Filed
32. Scheduling Order Issued
33. Order to Reply Filed
34. Ordered Reply Filed
35. Claim Eligible for Dismissal for Non-Reply to Claim
36. Motion for Judgment on the Pleadings Filed
37. Hearing Scheduled on Motion for Judgment on the Pleadings
38. Motion Filed for Temporary Restraining Order Filed
39. Motion Filed to Extend TRO or for Injunction/to Dissolve Injunction Filed
40. Case Management Conference Held
41. Motion for Extension of Time Filed
42. Notice of Service of Discovery Request Filed
43. Notice of Response to Discovery Filed
44. Non-Response to Notice of Service of Discovery
45. Date set for Hearing on Discovery Issues
46. Discovery Motion Filed
47. Hearing Scheduled on Discovery Motion
48. Proposed ESI Order Filed

49.   Proposed Confidentiality Order Filed
50.   Discovery Filing Complete
51.   Discovery Compliance Order Issued
52.   Discovery Compliance Order Satisfied
53.   Summary Judgment Filing Complete
54.   Hearing Scheduled on Summary Judgment Motion
55.   Summary Judgment Compliance Order Issued
56.   Summary Judgment Compliance Order Satisfied
57.   Response to Motion for Summary Judgment Filed
58.   Ex Parte Motion Filed
59.   Dismissal Filed
60.   Motion for Mediation Filed
61.   Mediation Report Filed
62.   Mediation Report Not Filed
63.   Hearing Scheduled on Mediation Report
64.   Referral of Motion to Magistrate Filed
65.   Objection to Referral of Motion to Magistrate Filed
66.   Mediation Report Filed
67.   Mediation Report Not Filed
68.   Hearing Scheduled on Magistrate Report
69.   Motion Withdraw/ Substitute Counsel Filed
70.   Hearing Scheduled on Motion to Withdraw/ Substitute Counsel
71.   Motion Directed at/Notice of Lack of Prosecution
72.   Hearing Scheduled on Motion Directed at/ Notice of Lack of Prosecution
73.   Motion to Interplead Filed
74.   Hearing Scheduled on Motion to Interplead
75.   Motion to Implead Filed
76.   Hearing Scheduled on Motion to Interplead
77.   Motion Intervene Filed
78.   Hearing Scheduled on Motion to Intervene
79.   Motion for Disqualification or to Recuse Judge
80.   Hearing Scheduled on Motion for Disqualification or to Recuse
81.   Post-Trial Motion Filing Complete
82.   Post-Trial Compliance Order Issued
83.   Post-Trial Compliance Order Satisfied

BR 5.2-03   Scheduling Order Case Management Milestones
A jurisdiction sets its own Case Management Milestones for use in scheduling orders for civil cases, by adjudicatory process: Expedited, Standard, Complex.

Table 5.2-03 Scheduling Order Caseflow Management Milestones by Adjudicatory Process

Milestones in a case are assigned a number of days out (or no number, depending on adjudicatory process), when the event is planned to occur. The days out are translated into actual dates in a scheduling order.

The values in the table below are <u>prototype examples</u>, based on milestones published by Montgomery County, Maryland, Circuit Court in 2014.

Data Needs requirements provide a method of setting parameters for assigning a jurisdiction's values for milestones. A set of sample Scheduling Order Caseflow Management Milestones is set forth below:

CIVIL CASE EVENT	Expedited	Standard	Complex
	DAY 0	*DAY 0*	*DAY 0*
Filing of Complaint	1	1	1
Scheduling Hearing	91	91	91
Plaintiff's Experts Identified		151	166
Defendant's Experts Identified		211	211
All Written Discovery Served By		241	256
Discovery Completed		271	286
Motions Filing Cut-Off Date		281	331
Meeting of All Counsel		312	347
Joint Pretrial Stmt. Filed		321	356
Status/Pretrial Hearing	181		
Settlement/ Pretrial Hearing		326	361
Trial	211-271	356-416	391-481

Sample Scheduling Order Caseflow Management Milestones

BR 5.2-04   Case Aging Clock

The Case Aging Clock measures the days from case initiation. Clock functions encompass 1) the automated system functions of starting, stopping and restarting/resetting the Clock, 2) the user initiated functions for stopping, restarting/resetting the Clock, and 3) the entry of judicial overrides to adjust the Clock according to judicial discretion.

Table 5.2-04 Events Affecting Case Aging Clock

Case Event	Process Steps	Case State Recorded	Work Queue
1. Case Initiation	Start Case Aging Clock	Case Active	N/A
2. Defendant in Civil Case Declares Bankruptcy	A. Suspend Case Aging Clock B. Queue to monitor bankruptcy status	Case Inactive	HR1
3. Bankruptcy Stay Lifted for Defendant in Civil Case	A. Restart Case Aging Clock B. Queue to staff to put case on court calendar	Case Active	HR1, Judicial Officer

BR 5.2-05   Deadlines for Decisions Taken Under Advisement

Court policy may require that motions and case decisions be decided and an opinion issued within a given number of days from the date the case was taken under advisement, or within a given number of days from the date

allotted for receipt of final written arguments or memoranda if requested by the parties or directed by the court, whichever is later.

Table 5.2-05 Decision Rules for Under Advisement Time Standards

The values in the table below are <u>prototype examples</u>, based on milestones published by the Judiciary of Guam (Administrative Rule No 13-003, Section C. Under Advisement Time Standards).

Type of Decision	Days to Decide after Submission
Motion for Disqualification of Another Judicial Officer	30
Other Motion	90
Disposition	120

BR 5.2-06　　　Jurisdiction-Specific Time Periods by Event Type

The rules of civil procedure of a jurisdiction, or best practices, determine the establishment of time frames for setting hearings of certain types, and for monitoring activity in a case after a given case event.

Table 5.2-06 Caseflow Management Parameters and Ticklers

A numbered "Case Event and Purpose" below refers to a Case Event in **Table 5.2-01 Caseflow Management Decision Rules**.

Date-related variables are either a Parameter or a Tickler:
- A parameter is used by the scheduling component to schedule a hearing X days out from a starting date.
- A tickler is used by the workflow component to activate a message to a work queue X days out from a starting date, to enable a case participant to monitor the status of a work item and take some action if appropriate.

"Number of Days" are prototype values, and are to be determined by a jurisdiction in state or local court rules. When the parameters and ticklers apply to the entire court or to individual judicial officers according to their preference will depend on the configurability of the CMS.

Case Event and Purpose	Parameter or Tickler Name	Number of Days
2.　Summons Issued for Named Defendant(s) – Wait the number of days for service of petition and summons to occur before taking action for non-service	NonServiceOfSummons.Tickler	30
4.　Pleading Attachments Identified – Schedule a hearing the number of days out if required pleading attachments have not been filed	DateForNonComplianceWith PleadingComplianceOrder.Parameter	21
7.　Return of Service of Pleading and Summons Filed - Wait the number of days for	DefendantDefault.Tickler	30

Case Event and Purpose	Parameter or Tickler Name	Number of Days
a party to answer a pleading before allowing action on default		
9. Motion for Service by Publication Filed with Affidavit of Diligent Search - Wait the number of days before checking if service by publication occurred	CompleteServiceByPublication.Tickler	30
13. Answer Filed - Wait the number of days for parties to agree to a proposed scheduling order before setting a hearing to establish a scheduling order	AgreementOfParties.Tickler	14
16. Pleading Motion Filed - Schedule a hearing the number of days out on the motion filed	DateForSettingPleadingMotion.Parameter	14
17. Pleading Motion Attachments Identified - Schedule a hearing the number of days out when required attachments to a pleading motion have not been filed	DateForNonComplianceWithMotionComplianceOrder.Parameter	21
20. Motion to Dismiss (Involuntary Dismissal) Filed - Schedule a hearing the number of days out when a motion to dismiss is filed	DateForSettingMotionHearing.Parameter	14
21. Amended or Supplemental Pleading Filed; or Counter-Claim, Crossclaim, or Third-Party Claim Filed; or Affirmative Defense Filed - Wait the number of days for filing of a response to the pleading before allowing action on default	ServiceOfAdditionalPleading.Tickler	21
23. Answer to Amended or Supplemental Pleading Filed; or Counter-Claim, Crossclaim, or Third-Party Claim Filed; or Affirmative Defense Filed - Wait the number of days for a party to answer a pleading before allowing action on default	DefaultOnAdditionalPleading.Tickler	30
24. Order to Reply Filed - Wait the number of days for a party to reply as ordered before take action	ReplyToAnswerAfterOrderToReply.Tickler	21
27. Motion for Judgment on the Pleadings - Schedule a hearing the number of days out on a Motion for Judgment on the Pleadings	DateForSettingJudgment OnPleadingsMotion.Parameter	14
32. Notice of Service of Discovery Request Filed - Wait the number of days for a party to respond to a discovery request before taking action	DateForDiscoveryResponse.Tickler	45
34. Non-Response to Notice of Service of Discovery - Schedule a hearing the number of days out if there is no response to a discovery request	DateForSettingDiscoveryNonResponse.Parameter	14
35. Discovery Motion to Compel Filed - Schedule a hearing the number of days out on a motion to compel discovery	DateForSettingDiscoveryMotion.Parameter	14
39. Discovery Motion Attachments <u>Not</u>	DateForNonComplianceWithDisco	14

Case Event and Purpose	Parameter or Tickler Name	Number of Days
Attached - Schedule a hearing the number of days out under a discovery motion compliance order	very ComplianceOrder.Parameter	
41. Motion for Summary Judgment Filed – Supporting Evidence and Briefs Attached - Schedule a hearing the number of days out on a motion for summary judgment	DateForSettingSummaryJudgmentMotion.Parameter	21
42. Motion for Summary Judgment Filed – Supporting Evidence and Briefs <u>Not</u> Attached - Wait the number of days for a party to file summary judgment attachments under a compliance order	NonComplianceWithSummaryJudgmentComplianceOrder.Tickler	14
48. Motion for Mediation Filed - Wait the number of days for completion of mediation	CompletingMediation.Tickler	30
50. Mediation Report Not Filed - Schedule a hearing the number of days out on issues because mediation report was not filed	DateForMediationNonResponse.Parameter	14
51. Referral of Motion to Magistrate Filed - Wait the number of days for completion of Referral of a motion to Magistrate for decision	CompletingMagistrateReferral.Tickler	14
54. Magistrate Report Not Filed - Schedule a hearing the number of days out on Non-Filing of Magistrate Report	DateForMagistrateNonReport.Parameter	30
55. Motion to Withdraw/ Substitute Counsel - Schedule a hearing the number of days out on a Motion to Withdraw/ Substitute Counsel	DateForSettingHearingWithdrawCounselMotion.Parameter	14
56. Motion Directed at/ Notice of Lack of Prosecution (Inactivity) - Schedule a hearing the number of days out on a Motion/ Notice of Lack of Prosecution	DateForSettingHearingLackOfProsecution.Parameter	14
57. Motion to Interplead - Schedule a hearing the number of days out on a Motion to Interplead	DateForHearingOnMotionToInterplead.Parameter	21
57. Motion to Implead - Schedule a hearing the number of days out on a Motion to Implead	DateForHearingOnMotionToImplead.Parameter	21
57. Motion to Intervene - Schedule a hearing the number of days out on a Motion to Intervene	DateForHearingOnMotionToIntervene.Parameter	21
60. Motion for Disqualification or to Recuse Judge with or without Required Attachments - Schedule a hearing the number of days out on a Motion for Disqualification or to Recuse Judge with Required Attachments	DateForHearingOnMotionToDisqualifyOrRecuse.Parameter	14

Table 5.2-07 Caseflow Management Functional Requirements

Req. #	Requirement
RD 5.2-01	Display Caseflow Management Track Assignment. For a case, show graphically how well the case is meeting the time goals established in the case management order.
RD 5.2-02	Compliance with Track Goals Display. For a case, this display shows graphically how well the case is meeting the time goals of the track it is assigned to.
RD 5.2-03	Continuance Report. Courtwide or by division, for a date range, by case type/ Subtype, a list of cases and summary of the continuances in cases, by who requested continuance, and the length of continuances.
RD 5.2-04	Case Track Deadlines and Continuances Report. By division, for a date range, by case type/ subtype and track, a list of cases and summary of the track deadline and continuances in cases, by who requested continuance, and the length of continuances.
RD 5.2-05	Average Age of Disposition Report. By division, for a date range, by case type/ subtype, the average age of disposition of cases compared to time standards or goals set by the court.
RD 5.2-06	Case Aging Clock Display. Display for a case a timeline of events that start, stop and restart the case aging clock, with a calculation of the case age.
RD 5.2-07	Critical Case List. For a date range, listing of cases by type which are near or have exceeded Supreme Court or Circuit Court time standards for such cases.
RD 5.2-08	Decisions Taken Under Advisement Report. By judicial officer, show a listing of cases having matters held under advisement by the judge, with the number of days out since being placed in a work queue.
RD 5.2-09	Receivers Initial Inventory Compliance Report. For a date range, a list of receivers who have filed inventories within 30 days out after appointment, and those who have not.
RD 5.2-10	Receivers Annual Inventory Compliance Report. For a date range, a list of receivers who have filed annual reports on inventories within 13 months after appointment, and annually thereafter, and those who have not.
RD 5.2-11	Cases Transferred to the Bankruptcy Calendar. For a date range, show a list of all cases transferred to the Bankruptcy Calendar for more than 12 months, in order to determine whether cases should remain on the calendar, be dismissed, or reinstated as active cases.
AC 5.2-01	Perform Automated Caseflow Management. Apply the business rules in **Table 5.2-03 Case Events Affecting Caseflow Management**
AC 5.2-02	Case/ Person Adjudicatory Process Track Alerts. Display the adjudicatory process status when the case or person record is displayed.
AC 5.2-03	Calculate Case Age. Calculate the age of a case using events that start, stop and restart the case aging clock (see **BR 5.2-04 Case Aging Clock**).
AC 5.2-04	Time Standards for Case Events. Configure time standards at the event and case levels for each specific case type and measure compliance.
AC 5.2-05	Time Standards Excluding Weekends and Holidays out. Include and exclude weekends and holidays out within time standard calculations according to court business practices.
AC 5.2-06	Time Standard Status. Display the status of case with respect to its time standards.
AC 5.2-	Decisions under Advisement. Apply the decision rules in **Table 5.2-04 Under**

Req. #	Requirement
07	**Advisement Time Standards**. Track motions and court decisions under advisement and approaching deadlines, supported with queries, reports, ticklers, and alerts.
AC 5.2-08	Identify pending cases with no scheduled "next event"
AC 5.2-09	Identify events coming due using a configurable number of days out in advance of deadline, by event type, e.g., decision under advisement due, guardianship accounting due, answer or response due, appellate record due.
AC 5.2-10	Identify overdue events which are still outstanding.
AC 5.2-11	Termination of Support. Identify cases and generate notice regarding termination of support on approaching birthday when child becomes an adult, enabling manual review of special conditions that nullify termination, such as physically handicapped person.
AC 5.2-12	Ad Hoc Report Generator. Provide a report generator so simple that users can prepare their own reports.
AC 5.2-13	Scheduling Reporting. Allow scheduling of when a report is to run.
AC 5.2-14	Tickler. Allow users to establish a tickler in the form of an alert, notification, query result or report to a user role or workgroup, that a user should take a specified action in response to a pending condition. See Table 15.4-03 Ticklers
AC 5.2-15	Tickler Snooze Feature. Provide a tickler snooze feature that allows the user to choose the length of time before being reminded again.
AC 5.2-16	Automatic Deletion of Ticklers. Delete ticklers automatically when the designated action is taken.
DN 5.2-01	Under Advisement Flag. This flag is turned 'On' when a judge takes a child custody decision under advisement, and is turned 'Off' when the decision is ordered.
DN 5.2-02	Time Standards Table. Time standards are listed by case type/ Subtype for reference by Business Rules and reports.
DN 5.2-03	Decision Taken Under Advisement Case History. This history of a case is updated automatically by event codes involving decisions taken under advisement (e.g., motion decision, case decision), or manually when a judge requests final written arguments or memoranda from the parties before decision will be rendered.

5.3   Monitor Tasks to Be Performed

Business Capability Description
Court and clerk staff monitor tasks to be performed, including the flow of documents routed to the attention of a party or participant representing a task to be completed or action to be taken according to a specified time frame. They identify bottlenecks and reallocate staff dynamically based on workload; and they assess whether scheduling and use of resources are effective.

Court and clerk staff also monitor tasks to be performed by being reminded of the date to check the status of whether a case event has occurred or not, and by notifying other staff of particular situations.

Business Rules

BR 5.3-01　　　Time Standards

A jurisdiction sets its own time standards which establish a time framework for disposition of cases within which attorneys should conduct their fact-gathering, preparation, and advocacy activities. A court measures its performance of case resolution against applicable standards.

Table 5.3-01 Case Disposition Time Standards

The values in the table below are Model Time Standards published in 2014. For civil cases there are two case categories: Summary and General.

> "Several state-level court systems have separate time standards for a broad category of 'limited' civil cases that they distinguish from 'summary' civil cases. Such 'limited' cases typically include tort and contract cases that may be tried by a jury but involve claims below a certain dollar threshold but above that for small claims cases. In the time standards offered here, these "limited" civil cases are included in the category of "general" civil cases." *Model Times Standards*, page 13.

Civil Expedited Cases (Summary Matters)	75% within 60 days out 90% within 90 days out 98% within 180 days out
Civil Standard Cases (General)	75% within 180 days out 90% within 365 days out 98% within 540 days out

Table 5.3-02 Ticklers

For a list of ticklers required for caseflow management, see **Table 5.2-06 Caseflow Management Parameters and Ticklers** where ticklers are comingled with parameters.

BR 5.3-03　　　Task-Oriented Customer Service Expectations

Court policy may specify the goal for the length of time to respond to items waiting to be completed, by participant role, as a means of setting expectations for response times for court customers.

Table 5.3-03 Customer Service Expectations

More-detailed data about case events enable measurement of performance at the case event level. The values in the table below are <u>prototype examples</u>.

Case Event Duration	Role	Target Standard Time for Processing
Filed Document is Reviewed and Posted	Clerk	4 business hours
Work Item in Queue	Clerk	24 hours
Motion Taken Under Advisement	Judicial Officer	30 days
Decision Taken Under Advisement	Judicial Officer	90 days

Table 5.3 Monitor Tasks to Be Performed Functional Requirements

Req. #	Requirement
RD 5.3-01	Work Queue Display. For a user's individual or shared queue, for a given date/ time, display the number and type of items in a work queue (with detail of work items exportable for Excel analysis).
RD 5.3-02	Work Item Flow Report. For a date/ time range, by work queue type and work item type, show a summary of the number of work items in a work queue, the length of time of work items in the work queue, and the number of times work items are forwarded before being completed.
RD 5.3-03	Work Item Bottleneck Report. For a date/ time range, by work queue type and work item type, show a summary of the percentage of work items that exceed the target standard time.

RD 5.3-04	Format of Ticklers and Notifications
	  a. Party Name
	  b. Case Number
	  c. From Department
	  d. When the From Department is a Courtroom:
	      1) Courtroom or Session Identification
	      2) Court Session Judicial Officer
	  e. Date Created
	  f. Time Created
	  g. Message Contents

AC 5.3-01	Work Queue Setup and Management
	  a. Provide a work queue for each user role/ Work Group (where individuals are assigned to one or more roles/Work Groups), with a due date monitoring system.
	  b. Display tasks on the work queue that are associated with a case.
	  c. Configure a Group Work Queue for each work unit.
	  d. Display roles and users to whom a work queue is currently assigned.
	  e. Display who last updated a work queue task and the date the task was last updated.
	  f. Display the number of tasks in either an individual or Group Work Queue.
	  g. Give a user access to one or more Group Work queues.
	  h. Detect congestion, incidents, and the state of queues. In the event of congestion, incident occurrence, or queue formation, provide warning and advisory messages to prevent the situation from worsening and to return traffic flow conditions back to normal.

AC 5.3-02	Creation of Work Queue Tasks
	  a. Automatically generate work queue tasks in a destination queue based on event codes and docket codes entered according to business rules for each work queue.
	  b. Provide manual entry of work queue tasks in a destination queue by entering a custom Message Text, populating the work queue task with the user's name.
	  c. Unless a document is signed when generated, place it in the judge's work queue for review and signature.

AC 5.3-03	Copy Work Queue Task

Req. #	Requirement
	Enable a user to select a queue task and copy it to a destination work queue. The original queue message text will populate the Message Text field and the user can enter a comment in the Comment field, with a confirmation message.
AC 5.3-04	Transfer Work Queue Task Enable a user to select a queue task and transfer it to a destination work queue, removing it from the original queue. The original queue message text will populate the Message Text field and the user can enter a comment in the Comment field, with a confirmation message.
AC 5.3-05	Navigating the Work Queue a. Select a work queue for display from a list of values– see **DN 5.3-02 List of Group Work Queues**. b. Allow a user to 'Refresh' data in work queue displays, obtaining the latest updates. c. View tasks within a work queue (individual or group) by Case ID, Task Type, Task Description, Filed Date, Due Date or Status. d. Click on a work queue tasks and display the details of that task, either by double-clicking a task or pressing a 'Select' button after highlighting the task. e. Click on the Case ID to navigate to the case. f. Return to work queue search results. g. Sort each queue alphabetically by last name, but give the user the ability to sort each field in the Messages table by double-clicking on the header of each column (Party, Case, Text, From and Date). h. Filter tasks by Status within a user's My Work Queue or a Group Work Queue. i. View documents associated with work queue tasks.
AC 5.3-06	Judicial Officer-Specific Capabilities with Work Queue a. Allow the judicial officer to electronically sign some, all, or none of the documents in the work queue at the same time. b. Allow the judicial officer, when viewing a document or a progress docket, to place a reference to the document directly into the work task for subsequent action, with the ability to override the default due date, or such other due date the judge may select. c. Allow the judicial officer to reject proposed orders submitted for signature with an explanation of the reason for rejection.
AC 5.3-07	Staff and Judicial Officer Capabilities with Work Queue Tasks a. Set up users to have either read only or update access to a Group Work Queue. b. Display all work queue tasks assigned to a Group Work Queue. c. Display all work queue tasks assigned to a particular user in their My Work Queue view. d. Allow a user to Select, Copy (see **AC 14.6-03 Copy Work Queue Task**), Transfer (see **AC 14.6-04 Transfer Work Queue Task**), Print, Delete or view the details of an individual task (or multiple tasks) by selecting the corresponding button at the bottom of the screen. e. Update the status of a work queue task to Complete, Cancelled, Pending, Reviewed or Deleted. f. Update the due date of a work queue task.

Req. #	Requirement
	g. Add a comment to a work queue task.
AC 5.3-08	Length of Time in Work Queue. Measure and log the length of time a work item is in a work queue, by type of work item (e.g., filing review, court customer query response, internal query response).
AC 5.3-09	Tickler. Allow users to establish a tickler in the form of an alert, notification, query result or report to a user role or workgroup, that a user should take a specified action in response to a pending condition.
AC 5.3-10	Tickler Snooze Feature. Provide a tickler snooze feature that allows the user to choose the length of time before being reminded again.
AC 5.3-11	Automatic Deletion of Ticklers. Delete ticklers automatically when the designated action is taken.
AC 5.3-12	Tickler - Show Event as Due. Specified event is waiting in a certain status xxx days before due date. It is available for processing. Example: A schedule movement is due.
AC 5.3-13	Tickler - Determine Due Date and Escalation Parameter. Determine milestones for each event as due date, escalate xxx days before due date, timeout nnn days before due date. Example: A scheduled reclassification is due.
AC 5.3-14	Tickler - Escalation of Ticklers. Automatically notify a user's supervisors if a tickler is not responded to within a period set by parameter.
AC 5.3-15	Enable the User to Create a New Notification. a. Enter unlimited message text b. Indicate the court case the message applies to. c. Indicate the department(s) the message is to be sent to. d. Verify the department against the master department list. If the department is not contained on the list, display an error message and the entry shall not be accepted. e. Indicate the department from which the message originated. f. Allow for additional data elements specific to the department the message is being routed to. g. Request a "return receipt" to be sent after the original message has been selected for viewing by the receiving department/person.
AC 5.3-16	Case Status Notification Actions. Enable a user to take action based on the user's notification display for each department as defined within the Department Master table (see **DN 5.3-02 Department Master Table**): a. Sort messages by Defendant Name by Case Number by reverse Date/Time Created b. Display the elements in **RD 5.3-04 Display of Ticklers and Notifications** c. Enable a user to select a message for further processing d. Enable a user to delete a message e. Enable a user to forward the message to one or more departments f. Enable a user to add a comment which will prefix the original message text. g. Enable a user to print the message h. When the receiving Department is identified as having "Automatic Message Deletion", delete the specified message after the user has returned to the Message Display from their review/processing of the specified message

Req. #	Requirement
AC 5.3-17	Delete Completed Notifications. Delete a notification after it is resolved, maintaining a history of the deleted notifications on the Register of Actions
AC 5.3-18	Ad hoc Message Alert. Alert a user or department with a screen message or email.
DN 5.3-01	Work Item Processing History. This table stores the date/ time a work item is posted to a work queue and the date/ time it is disposed (including referral to someone else), with work item type, queue type, and user ID.
DN 5.3-02	List of Group Work Queues (examples) 1. Batch 2. Court Admin 3. Court Room 4. Interpreter 5. Judge 6. Message 7. Scheduling 8. System 9. Transcript Office
DN 5.3-03	Department Master Table. This table contains the departments used during generation of messages/ notifications as "to" and "from" fields (e.g., Clerk, Court Administration, Court Reporter).

5.4   Measure Court Performance

Business Capability Description:
Court administration and clerk staff measure and report state-mandated activity statistics and disposition data, including revenue received and caseflow management performance, for internal management and public information.

Req. #	Requirement
RD 5.4-01	CourTool Performance Measure 2 Clearance Rates Report. Courtwide or by division, for a date range, by case type/ Subtype, a summary of clearance rates ("CourTool" Performance Measure 2) - number of outgoing cases as a percentage of the number of incoming cases.
RD 5.4-02	CourTool Performance Measure 3 Timeliness of Case Disposition Report. Courtwide or by division, for a date range, by case type/ Subtype, a summary of the timeliness of case disposition ("CourTool" Performance Measure 3) – percentage of cases disposed within the established time frames.
RD 5.4-03	CourTool Performance Measure 4 Age of Pending Caseload Report. Courtwide or by division, for a date range, by case type/ Subtype, a summary of the age of the active pending caseload ("CourTool" Performance Measure 4) - measured as the number of days out from filing until the time of measurement.

Req. #	Requirement
RD 5.4-04	CourTool Performance Measure 5 Trial Date Certainty Report. Courtwide or by division, for a date range, by case type/ Subtype, a summary of trial date certainty ("CourTool" Performance Measure 5) - number of times cases disposed by trial are scheduled for trial.
RD 5.4-05	Monthly Report. For a date range for a judicial officer, prepare a report of the judicial officer's work in the assigned division.
AC 5.4-01	Provide a set of dashboard performance metrics (e.g., CourTool measures) that can be selected by individual users, according to their role in the organization.
AC 5.4-02	Standard CourTool Report Generator. Provide a report generator capable of producing standard CourTool reports with performance safeguards (e.g., warning about the number of results to be reported).
AC 5.4-03	Ad Hoc Report Generator. Provide a report generator so user-friendly that users can prepare their own reports.

5.5   Adapt to Changing Legal and Work Requirements

Business Capability Description

Court administration and the clerk of court adapt to changing legal and work requirements, and optimize case resolution and aggregate court performance.

Req. #	Requirement
RD 5.5-01	Case Attributes Report. For a date range and for one or more selected case attributes, show the cases possessing the attribute, with attribute type, case number, case number, date of case initiation.
AC 5.5-01	Configure Workflow for Routing Tasks. Configure workflows for routing work items to roles who must take action on them.
AC 5.5-02	Case Attribute Flag. Enable the user to turn on one or more case attribute flags on a case to trigger and support automated work procedures, such as interpreter needed, jury trial waived, recording requested, attorney case, judge recusal, etc.
AC 5.5-03	Configure Business Rules. Set up Business Rules appropriate to business processes as set by court policy, to update the Case State whenever a certain condition is detected, document filed/ generated, or a Case Event is recorded. Business rule settings are Sys Admin-modifiable through a Business Rules table.
AC 5.5-04	Add New Hearing Types. Add new hearing types and configure functions, like event codes and document generation, to change in synch with existing types and work properly with them.
AC 5.5-05	Define Sequence of Events in Data Entry. Configure data entry screens sequentially to lead a user through data entry.
AC 5.5-06	Scheduling Trigger. Prompt the user to schedule the next appropriate activity when an event is completed.

AC 5.5-07	Data Entry Configurable Rule Triggers. Configure the following rule triggers to perform one or more actions in response to it, which may be limited to cases associated with a case-type:
	    a. Upon attempting to enter data in an incorrect format.
	    b. Upon attempting to enter data with an invalid value.

Req. #	Requirement
	c. Upon attempting to enter data without first completing another mandatory data field or case-event
AC 5.5-09	New Data Fields. Enable configuring of the system by adding new data fields to any table without corrupting pre-existing records: a. Values for data fields. b. Free text fields. c. Formatted data fields. d. Calculated fields