

Reimagining Courts

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The Three Court Crises

Funding: obvious and **on-going**

Legitimacy: cost and time gaps
polls (incompetent management, use of technology)
fairness (certain groups only)

Competition: market for legal decisions
disappearing civil caseload

Goals of the Book

- ▶ Make more efficient use of scarce resources (efficiency)
- ▶ Improve job quality for judges
- ▶ Improve customer satisfaction
- ▶ Increase legitimacy
- ▶ Make funders happier

Funding: motivating problem for the book

- ▶ Failed funding Strategies
 - ▶ To know us is to love us
 - ▶ We are special
 - ▶ The 3% strategy
- ▶ Definition of constitutional mission - essential functions
- ▶ Changes in court mission
- ▶ Changes in court processes

Guiding Principles

- ▶ Customer viewpoint
- ▶ Litigant choice
- ▶ Information transparency
- ▶ Case triage (several types)
- ▶ Design for normal or most common business processes—
not exceptions like trials

Credibility of the Recommendations

- ▶ Virtually everything in the book has been successfully done in at least one court.
- ▶ No court has systematically done everything that is recommended as an integrated strategy.
- ▶ Some recommendations definitely need more research (optimal case characteristics for initial case triage).

Some Key Strategies - 1

- ▶ Case triage using case characteristics
- ▶ Case management using case issues
 - ▶ Early settlement conferences
 - ▶ Case processing types (adversarial, dispositional, problem solving, administrative)
- ▶ Case management role hierarchy (system, clerk, case manager/staff lawyer, judge)

Some Key Strategies - 1

- ▶ Technology
 - ▶ Automated business rules
 - ▶ Remote services and online dispute resolution
 - ▶ Litigant portals
 - ▶ Mobile apps
- ▶ New legal roles: LLLTs and navigators
- ▶ Partial deregulation—ownership

Discussion, Comments, Questions

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Contact Information

- ▶ Thank you and good luck!

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