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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