

Caseflow Management Plan (Sample)

Caseflow Management is the oversight and supervision by the court of the continuum of processes necessary to move a case from filing to disposition regardless of the type of case or disposition.

1. Goals of the Court

In accordance with the directives of the judicial branch and the Court's leadership, the Court adopts the following Caseflow Management Plan. This plan establishes that the Court is responsible for managing the flow of cases and pace of litigation in the adjudication process. The plan will assist in achieving Court goals to maximize efficiencies in the movement of cases from filing to disposition, to reduce unnecessary delay, and to ensure the rights of all litigating parties are protected consistent with the due process of law, constitutional requirements, Judicial Branch policies, and the laws of the State of California. Specific objectives of the plan include...

- Expedite the disposition of all cases consistent with fairness to all parties;
- Minimize the uncertainties associated with processing cases;
- Assure equal access to the adjudication process for all litigants;
- Ensure the resolution of matters is guided by what is permissible under law, by defined standards of service, and by balancing the needs of the individual and society; and
- Enhance the quality of litigation.

The Court operates with an individual (direct set) calendar in handling all felony and civil matters. Judges handling felony calendars will be assigned cases after initial appearance and manage those cases through all preliminary hearings, pretrials, and trial phases to and including disposition. All violations of probation where no new charges are filed will be assigned to a separate probation violation calendar for disposition. Violations of probation where new charges are filed will be randomly assigned to a felony calendar.

The judge(s) handling civil cases will not be expected to manage or try felony cases except in exigent circumstances. The civil trial judge(s) will oversee and promote court-annexed alternative dispute resolution programs as part of the civil caseflow. The court executive officer will provide, as possible, an ADR coordinator to manage and monitor civil ADR activity to ensure timely case processing.

2. Case Processing Time Standards

- A. The court adopts time standards for case processing to include the following
[Insert agreed upon standards by the bench for various case types]
- B. The court adopts a case management system that provides for similar types of cases to be tracked with specific time constraints. The court adopts intermediate goals governing the time between monitorable events in *felony cases* as follows...
 - The preliminary examination and bind over shall be within ___ days of the initial arraignment on the complaint or warrant;
 - The arraignment on the information shall be within ___ days of the preliminary hearing;
 - A criminal settlement conference shall be set and conducted within ___ days of the arraignment on the information or warrant. At the settlement conference, the

assigned judge will actively engage the attorneys and parties in plea discussions and negotiations as well as likely sentencing options available to the court consistent with the facts of the case and sentencing guidelines or requirements pursuant to applicable California law;

- The motion filing deadline shall be within ___ days of the arraignment on the information or warrant;
- A motion hearing and final conference shall be set and conducted within ___ days of the arraignment on the information or warrant at which time any amended or reduced plea offer shall be suspended by the prosecutor and no longer entertained by the court; and
- The trial date shall be within ___ days of the arraignment on the information or warrant.

C. The court adopts intermediate goals governing the time between monitorable events in *general (unlimited) civil cases* as follows...

- Immediately upon filing, a general civil case shall be ordered into mandatory alternative dispute resolution (ADR) program as outlined in the court's rules;
- Should ADR be unsuccessful in resolving the case within ___ days of referral, the court shall schedule a case management conference before a civil trial judge no later than ___ days after the return of the case to the civil trial calendar;
- At the case management conference the court shall develop a formal trial management order delineating the steps and time periods pertaining to discovery, motions and other pre-trial preparations, and shall set a firm trial date.
- Unless unusual circumstances exist, civil trial dates shall be set no later than ___ days after referral to the civil calendar.
- Complex civil cases may be set only upon petition to and approval by the court's presiding judge.

3. Adjournment or Postponement Policy

- A. Adjournment or postponement means the delaying of a scheduled hearing to a later date without accomplishing the original purposes of the hearing.
- B. Continuance means the resuming of hearing or court event that has commenced or started but not finished.
- C. It is the policy of the court that adjournments or postponements are limited to those parties demonstrating verifiable good cause. All requests for adjournments or postponements must be decided by the assigned judge or his/her designee. Adjournments granted shall be classified as such by court staff and tracked by lawyer or party name, time delay requested, and reason(s) given.
- D. A maximum of two (2) adjournments or postponements may be given by any judge or judicial officer initially or subsequently assigned to a felony or general civil case. All further adjournment requests shall be calendared before a specially designated Postponement Judge for a decision on the record. A transcript or abbreviated record of the proceedings and decision as determined by the Presiding Judge shall be created and transmitted in a timely fashion to the affected parties and the supervisors or managing partners of any lawyer(s) requesting the postponement.

4. Trial Scheduling

Firm trial dates shall be set at the criminal settlement conference or civil case management conference. To avoid future scheduling conflicts, attorneys must be able to confirm their trial date availability at the conference.

5. Backlog Reduction

A backlog reduction effort is part of this caseload management plan. Based on available case processing data, the court intends to reduce the age of cases already pending before the court as well as avoid delay in newly filed cases. An inventory of older cases by current status, relative complexity and actions necessary to close them will be initiated.

As possible temporary additional judicial resources will be acquired, special settlement weeks set, dispositions expedited, ADR programs instituted, and short scheduling for intense judicial attention arranged.

6. Statistical Reports on the Pace of Litigation

Court administration shall provide to each judge and judicial officer on a monthly basis a case tracking report that will identify for each judicial calendar the age of the pending/assigned cases, the number of cases pending over the time standards by judicial officer, the age of cases at each major monitorable event, time intervals between major monitorable events, exception reports regarding languishing or older cases, and delay assessment reports identifying delay "hot spots" on individual calendars.

7. Implementation

A. Successful implementation of this plan and achievement of the goals herein require...

- A policy level commitment from the bench and critical justice system stakeholders to the concepts and precepts contained in it;
- The establishment and oversight of a caseload management committee to guide and oversee the implementation;
- A scheduling policy which assures that trials and other hearings will occur as scheduled;
- Interim time standards of case processing in felony and general civil matters during the implementation stage;
- The revamping, as possible, of the court's case management system and/or the ability of the court staff to effectively track and monitor the processing of cases, especially felony and unlimited civil matters.

8. Caseload Improvement Work Groups

As necessary, the presiding judge may establish one or more formal Caseload Improvement Work Groups composed of judges, the court executive officer, appropriate court staff, and representatives of the justice system agencies interacting with the Court. The purpose of such groups is to assist and support individual judges in managing their dockets, gather data on case processing improvements, and provide ideas and strategies for reforming the pace of litigation in the Court to reduce unnecessary delay and inefficiencies in the pace of litigation within criminal and civil justice system in the jurisdiction.