

## BASIC CONCEPTS OF CASEFLOW MANAGEMENT

American Bar Association

National Conference of State Trial Judges, Standards Relating to Trial Courts

“From commencement of litigation to its resolution, whether by trial or settlement, any elapsed time other than reasonably required for pleadings, discovery and court events, is unacceptable and should be eliminated. To enable just and efficient resolution of cases, the court, not the lawyers or litigants, should control the pace of litigation. A strong judicial commitment is essential to reducing delay and, once achieved, maintaining a current docket.”

### Key Elements for Effective Court Management of the Caseflow Process

- Early and continuous judicial supervision of case progress  
The judge plays an active role in the judicial process to encourage early preparation and evaluation of the case by the parties.
- Control of continuances and the assurance of credible hearings and trial dates  
The creation of an expectation that hearings will occur as scheduled should be based on a judicial decision that the fair adjudication of the case requires any and all continuances.
- Adoption and observance of standards and goals  
The adoption of standards and goals recognizes the necessity in all managed processes to have a measure of accountability. Processing time standards, stated in a way that recognizes a wide difference in the complexity of cases, provide a clear way to assess the effectiveness of operations.
- An information system to support caseflow management  
A case management information system provides information about the progress of the case through its various stages enabling the participants to exercise sound judgment in scheduling the events necessary to effective resolution of the cases.
- Continuing consultation with the Bar and criminal justice agencies  
In the adversary process a working relationship of the principal actors is necessary to the effective working of the system. Though the ultimate responsibility for the justice of the system is in the judiciary an accommodation of the legitimate needs of all of the principal actors is essential