

# *Court and Case Management* *“Role of Courts”*



Presented by :

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# What is Management?

Exercising Effective Control.

Court Management- Exercising effective control as a Presiding Officer/ Team Leader/ Administrator on entire court machinery.

Case Management- Exercising effective control on the movement of case file as Judge, Monitoring its process and progress towards Swift, timely and mutually satisfactory disposal

## Objectives of Management

- Early Resolution of disputes- Greatest criticism of Judiciary is its processes are time consuming. To reduce trial time.
- More effective use of Judicial resources.
- Establishment of trial standards.
- Monitoring of case loads.
- Development of I. T. support.
- Increasing accessibility of Courts.

# Objectives of Management

- Facilitating planning for the future.
- Enhanced public Accountability.
- Improving Efficiency.
- Cutting costs.
- Reducing criticism of justice system by reason of perceived inefficiency.
- Legal Practitioners and Judges becoming better at what they do, i.e. Achieving the same end with less resources and in less time.

# Elements of Case Management

- Planning
- Organising
- Directing
- Co-ordinating
- Controlling

It is not the load that breaks you.

It is the way you carry it.

# How to Manage?

- Time Management
- Procedural Simplification
- De- centralisation
- Identifying core problem
- Identifying core competence
- Sharing best practices
- Identifying problem areas
- Encouraging performance
- Working as a Team

M. Soloman & D. Somerflot in their 'Case Flow Management to the Trial Court' have identified the following aspects of Court & Case Management:

- (a) judicial commitment and leadership;
- (b) court consultation with the legal profession;
- (c) court supervision of case progress;
- (d) the case of standards and goals;
- (e) a monitoring information system;
- (f) listing for credible dates;
- (g) strict control of adjournments.

# Identifying Road Blocks

- Time spent in Calling –out Whether we can find out any new system to do it?
- Time spent in deciding interlocutory Applications.
- No distinction made in simple, medium time consuming complex cases- As a result simple cases also keep on piling adding to pendency.
- Lengthy oral submissions– Necessary to inculcate the practice of short written submissions.
- Granting Adjournments easily.
- Imposing heavy costs for adjournment
- Awarding realistic costs against unsuccessful party.
- Successful Use of ADR mechanism.

Management is doing things right.

Leadership is doing the right things.



# Ways of Court Management

- Classifying cases.
- Pro-active Role of Judge.
- Aim of Substantial Cause of Justice.
- Making Court Litigant Friendly.
- Training of staff, bar for inculcating sensitivity towards weaker sections of society.
- Imbibing Constitutional vision of Justice.

You cannot do today's job with yesterday's methods and  
be in business tomorrow.

# Enhancing performance of court- 11 key Areas

- User Satisfaction- Courts exist for them/ for society- hence user- friendliness is the key word.
- It implies- Justice is accessible, fair, accurate, timely, knowledgeable and courteous Judicial services.
- Access Fee
- Case- clearance rate- Number of out-going cases in proportion to the number of incoming cases resolved within established time frame..
- On- Time case processing- Percentage of cases disposed or otherwise.

Successful people do not do different things.

They do things differently.

# Enhancing performance of court- 11 key Areas

- Duration of pre-trial custody.
- Court file integrity- percentage of case files that can be located and retrieved in a timely manner.
- Case backlog- Proportion of cases pending that have exceeded time frames.
- Trial Date certainty- Certainty with which imp. Cases case processing events occur as per schedules.
- Employee- engagement- percentage of employees who are passionate about their job and committed.
- Compliance with court –orders.
- Cost per case.

You cannot manage what you cannot measure.

# Ultimate Object of Case and Court Management

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- To achieve Efficiency and effectiveness
- Transparency and Accountability,
- Public Trust and Confidence.
- Affordable and Accessible Court Service.

What gets measured, gets done.

The trouble with most of us is that we would rather be ruined by praise than saved by criticism.

“Judges who think they are too busy to manage cases are really too busy not to. Indeed, the busiest Judges with the heaviest dockets are the ones most in need of sound case management practices.”

- William Schwarzer

# Ultimate Object of Case and Court Management

What is required is Vision and Planning,  
Con-joined with a professional and Scientific Methodology.

To be a success in any thing –  
Be Daring ..... Be First ..... Be Different

When you aim at perfection, you discover it is a moving object.

