

2011 Program Report Card: Criminal Caseflow Processing (Judicial Branch, Superior Court Operations)

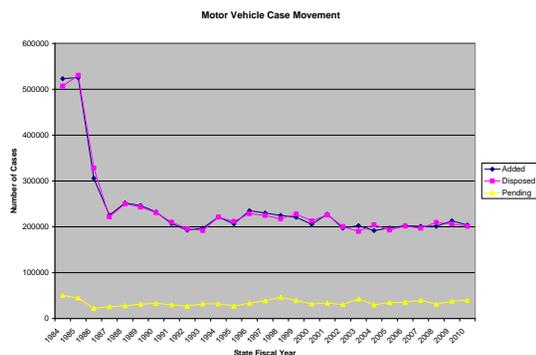
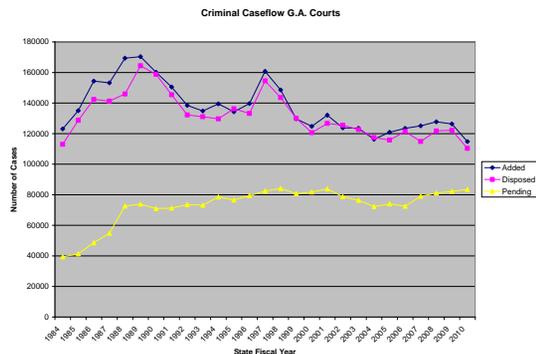
Quality of Life Result: All persons linked to a crime may appear before the court and have their matter resolved in a fair, timely, open and efficient manner.

Contribution to the Result: Criminal caseflow processing allows all criminal matters brought before the court to be effectively managed throughout the life of the proceeding, the benefits of which, to the victims of crime and to the people of Connecticut, are not always apparent at first glance. Effective caseflow processing reduces costs to taxpayers by moving matters quickly to disposition, reducing the number of tax dollars spent to incarcerate individuals accused of crime while awaiting their day in court. It allows the court to develop tough and responsive ways to handle domestic violence, giving the court the opportunity to offer advanced services to victims while holding offenders accountable for their actions. Caseflow management brings targeted approaches to bear on criminals who commit the drug-related crimes and the quality-of-life crimes that drain the state's economy and strain the social fabric of its communities--conserving precious state and community resources, while making the state a safer place to live, and a more attractive place to do business. Foremost, effective caseflow processing provides assurance to all that Connecticut's courts are a place of fairness, where justice will be served.

Total Program Funding: \$ 32,331,306

Partners: Law enforcement, Division of Criminal Justice, Public Defenders, Department of Correction, Court Support Services Division, Attorneys

Performance Measure 1: The number of legal disputes (criminal and motor vehicle cases) that are able to be managed by the court. This is indicated by number of cases added, disposed, and pending, shown below by state fiscal year.



Story behind the baseline: The largest volume of criminal caseflow takes place in the

Geographic Area (G.A.) courts, while more the more serious, less numerous, criminal cases (murder, for instance) are adjudicated in the Judicial District (J.D.) courts. All statistics referenced in this report card reflect activity in the G.A. courts. Motor Vehicle cases are also adjudicated in the G.A. courts and require a substantial amount of the court's resources.

The charts included here depict the relationship between the three basic stages of a criminal matter, which can be used to offer a sense of how many legal disputes are being managed by the court, and how well they are being managed. These three indicators are: (1) the number of cases added (blue), (2) the number of cases disposed (pink) and (3) the number of cases pending disposition (yellow).

These indicators are important as they show the court's effectiveness in managing its workload. They indicate, in part, that criminal caseflow processing allows:

- Sufficient volume of new cases to be added, providing those accused of crime with access to justice;
- Pending cases to come to disposition, providing resolution to matters in a fair, timely, efficient and open manner, and;
- A predictable level of pending caseload; allowing for more timely dispositions and more efficient use of Judicial Branch resources.

Each criminal case, whether its status is added, disposed, or pending, represents at least one person who has been accused of committing a crime, and in most cases, multiple individuals who have been affected by crime, including victims of sexual assault, domestic violence, or individuals who have had their property stolen or destroyed. The role of the court is to ensure that justice is served; upholding the innocence of those accused until proven guilty, and providing adequate resolution for those affected by the crime, as prescribed by law. By employing effective caseflow management, the court has been able to develop new approaches for adjudicating specific crimes, such as domestic violence, allowing it to offer advanced services to victims, and to order sentencing conditions and alternatives that help to reduce recidivism, improve victim safety, improve public safety, and provide cost effective alternatives to the taxpayers of this state.

Motor vehicle cases represent a significant volume of activity for the G.A. courts, and while adjudication of these matters is generally less complex than other criminal matters, it nonetheless requires the dedication of significant amounts of the court's time and resources.

Criminal caseflow processing and strategic use of Judicial Branch resources have enabled the courts to keep relative pace with the volume of cases added to its workload, even as activity levels have fluctuated dramatically over time.

Program Report Card: Criminal Caseflow Processing (Judicial Branch, Superior Court Operations)

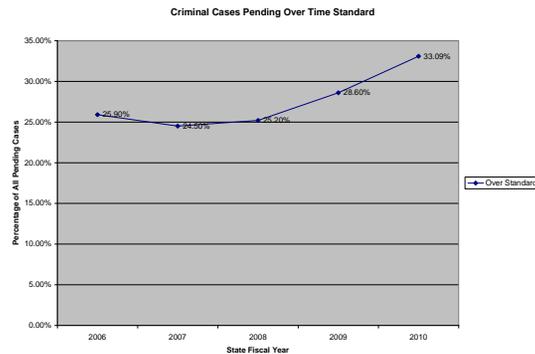
Looking at the charts, the difference in the number of cases added as compared to the number of cases disposed measured from year-to-year may seem insignificant; with the number of cases added totaling only slightly larger than the overall number of cases disposed. However, the cumulative effect of these small differences has resulted in nearly double the number of pending criminal cases as compared to 25 years ago, creating a volume of work that exceeds the capacity of the current workforce.

Proposed actions to turn the curve:

Success in turning the curve would be defined as caseflow processing that results in a greater number of cases disposed than cases added, so that the number of pending cases can be reduced. One solution to turn the curve would be the addition of staffing. An alternative solution that would reduce further harm would be to maintain staffing at current levels. Both of these solutions will require a fair amount of resources.

One low-cost, no-cost solution undertaken by the Branch as a part of the implementation of its strategic plan and the adaptation of RBA principles to its operations is to develop and implement a comprehensive, values-based training system for its staff in an effort to attain better efficiency within the existing workforce. This program has been painstakingly designed to utilize a combination of education, training, raised expectations, program assessment and accountability, and individual assessment and accountability to institutionalize the core values of the Branch, (integrity, fairness, respect and professionalism) and create a culture of service excellence throughout the Branch.

Performance Measure 2: The amount of time taken by the court to resolve a criminal matter. This is indicated by the time that elapses between the arraignment date and the disposition date of a case, compared against a time standard. This chart shows the percentage of criminal cases that exceed that standard.



Story behind the baseline: The percentage of criminal cases that exceed established time standards has begun to rise over the past four years. This is may be attributed, in part, to the increased volume of criminal caseflow, as well as other factors.

Timely resolution of criminal matters affects both the quality of justice as well as its cost. By using caseflow processing methods that more quickly move cases to disposition, the costs of incarceration are reduced, as well as the costs of various other criminal justice resources associated with a case resulting in victims, those accused, and the public being better served.

Proposed actions to turn the curve: As a part of the implementation of its strategic plan and the adaptation of RBA principles to its operations, the Branch is examining ways to reduce the number of delays in a case that are attributable to the procedures of the court, and thus reduce the amount of time from arraignment to disposition in a criminal case while maintaining the integrity of the court process. This is primarily being accomplished through the use of low-cost no cost solutions that have been developed through the work of the Criminal Practice Commission. Through combined efforts of judges, prosecutors, defense attorneys and court staff, information will be exchanged, issues will be identified and resolutions will be proposed that will enhance efficiency, professionalism and civility in the criminal courts

and will improve the delivery of services to litigants, the bar, victims and the public.

The Commission will continue its work on the following activities between July 2011 and June 2012:

- The Habeas Reform Committee will meet to identify issues and make recommendations regarding habeas proceedings
- Finalize the recommendations made by the Immigration Committee
- Although not a committee under the Commission, the Connecticut Sentencing Commission, as it relates to the Criminal Practice Commission, will be scheduling a focus group

As time and resources permit, the Commission will begin work on the following activities:

- Address the need for uniformity among the judicial districts in such areas as: continuance requests, discovery issues, appearance requirements at the dismissal of diversionary programs, and the role of the Court Service Centers
- Explore designating a statewide judge for domestic violence cases
- Explore having a domestic violence docket in each court
- Explore having separate dockets for self-represented individuals
- Explore staggering the times scheduled on promises to appear and other dockets
- Explore ways to decrease the number of court appearances (i.e., do paperwork for diversionary programs prior to court date)
- Explore the possibility of evening and/or weekend court
- Determine the best allocation of courthouse space, including the need for a confidential area in the courthouse for defense counsel to speak with clients
- Examine the criminal canvass and get defendants to sign criminal canvass
- Explore the online/electronic adjudications that allow for the payment of fines in appropriate cases
- Increase cooperation between the bench and the bar

Program Report Card: Criminal Caseflow Processing (Judicial Branch, Superior Court Operations)

- Explore ways to separate the victim advocates from prosecutors' offices

The following activities were completed between July 2010 and June 2011:

- The Immigration Committee has made the following recommendations to the Commission:
 - Adoption of policies relating to Immigration and Customs Enforcement (ICE) activity within Branch courthouses
 - Change in Court Support Services Division policy regarding the elimination of the requirement of probation officers to inquire about a probationer's immigration status
 - Recommended changes to Practice Book §§ 37-3(2), 39-19, 39-27(2) based on the March 31, 2010 United States Supreme Court decision in Padilla v. Kentucky

